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HANSARD'S

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THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

12° VICTORIÆ, 1849.

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THE FIRST TO THE TWENTY-EIGHTH

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Second Volume of the Session.

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1849.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

SECOND SESSION OF THE *FIFTEENTH PARLIAMENT* OF
THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 2 NOVEMBER, 1848, AND FROM THENCE
CONTINUED TILL 1 FEBRUARY, 1849, IN THE TWELFTH YEAR
OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, March 1, 1849.

MINUTES.] PUBLIC BILLS.—3ª Consolidated Fund.

PETITIONS PRESENTED. From Okehampton and the Honiton Union, for the Repeal of the Law of Settlement.—From Knightsbridge, for the Adoption of such Measures as shall secure to Clergymen Seceding from the Church the full Benefits of the Acts of Toleration.—From Hastings, against the Repeal of the Navigation Laws.

THE SUPPLEMENTARY REPORT OF THE WOODS AND FORESTS.

THE MARQUESS of SALISBURY rose to ask a question relative to the return lately made by the Commissioners of Woods and Forests. In doing so, he requested their Lordships' pardon for alluding to a matter personal to himself. He held in his hand a long paragraph from a newspaper, to which his attention had been called, containing certain comments upon those returns, in which his name was mentioned. He found it stated that he held the lease of a piece of ground in the Green Park for 99 years, at a rental of 10*l*. 9*s*. 7*d*.; and it was deduced that this was for the site of his house. It was not so, however. The sum in question was paid as a rent for a piece of ground as a garden, which had been enclosed to render the line uniform. He hoped the noble Lord would explain that circumstance to the House. Since the paragraph had appeared he had received various communications on the subject from parties interested; and he hoped, therefore, that the noble Lord would not refuse the explanation he desired.

The EARL of CARLISLE said, he really felt indebted to the noble Marquess for having called the attention of their Lordships to this subject, because the charge, in which both the noble Marquess and the Crown were implicated, embraced several other pieces of property which were in the same condition with that of the noble Marquess; and as these statements had received circulation in several respectable quarters, he felt that the noble Marquess, in making his oration *pro domo suâ*, had conferred a favour on the department to which he (the Earl of Carlisle) had the honour to belong; and as it was for the interest of all parties that the truth should be generally known, he begged to make one or two observations on the subject. The noble Marquess had correctly stated one of these misapprehensions in respect to the row of houses fronting the Green Park. In the returns presented to Parliament, which contained "a schedule of all landed and other estates and property belonging to the Crown, which are at present under the management of the Commissioners of Her Majesty's Woods and Forests, and which are held under any lease or leases from Her Majesty, specifying in alphabetical order the counties and the particular localities in which the several portions of the said property are situated, the names of the lessees, the dates of the respective leases, the terms granted, the periods at which they will respectively expire, the fines, if any, and the rents reserved," a certain amount of rent appeared set down to certain names without any further explanation; and the inference that was attempted to be deduced from this circumstance was, that such sum or sums was the rent raised in respect, not of the gardens, but of the houses, offices, and other appurtenances thereto belonging. Now, it appeared from the return to which he had alluded, that the noble Marquess was charged 10*l.* 9*s.* 7*d.*, on a lease of 99 years, for a piece of ground in front of his mansion, 36 feet 9 inches in length, and with an average depth of 48 feet. It also appeared that the following names were included in that return :—

Lessees.	Frontage.		Average depth.	Rent.			Date of Lease: Terms granted.
	Ft.	In.	Feet.	£.	s.	d.	
Lord Vernon............	34	5	67	8	0	8	5 April, 1796.
Lord Yarborough	41	0	57	7	9	5	same term.
Sir John Hort	26	0	53	4	14	0	same term.
Lord Viscount Gage	45	1	63	8	16	8	same term.
Lord Romney	31	3	48	5	4	0	same term.
Mr. Morton Pitt	49	9	53	13	3	3	same term.
Lord Dundas.............	53	6	50	9	2	0	same term.
Earl Cork and Orrery ...	47	5	47	7	16	3	same term.
Earl of Moira	53	1	67	31	3	0	same term.
Earl Spencer...............	217	11	90	115	5	0	5 April, 1797: 99 years.
Duke of Bridgewater	126	11	63	69	0	0	same term.
Hon. Sampson Eardley Eardley	78	0	47	12	17	3	5 April, 1796: 99 years.

But not one of the houses fronting the Green Park, named in the foregoing list, is built upon Crown property. In the years 1798 and 1799, leases were granted by King George the Third, under the seal of his Court of Exchequer, to the several parties named in the foregoing list, of small pieces of garden ground on the east side of the Green Park, adjoining their respective mansions; the whole of which were reported to Parliament in 1802. The proprietors of these houses paid rent to the Crown only for the slips of garden ground in front, and the Crown had nothing whatever to do with the ground on which these houses stood. The two leases to Sir John William Lubbock and Samuel Rogers, which included their houses—

> "Lift not your spear against the Muses' Bower,"

were granted by the Commissioners of Woods and Forests, under the Act 10th George IV., c. 50, sect. 23; and, previously to the granting of such leases, the Commissioners caused surveys to be made by Messrs. Chawner and Rhodes, the surveyors employed by them for that purpose, who, upon oath, certified that the terms and conditions on which the leases were granted were proper; that their surveys and estimates had been faithfully and impartially made; and that the value of the property of the Crown had been justly estimated, according to the best of their skill and judgment, in the terms prescribed by the Act. So that, in point of fact, these rents, varying from 4*l.* per annum to 115*l.*, were paid for pieces of garden ground, in fact, for a few lilacs, laburnums, and other ornamental trees, which added considerably to the beauty and fragrance of that walk in the Park which the public so much frequented Moreover, there was a condition attached to those leases, by which the public benefited much—namely, that no buildings whatever should be erected on those strips of ground; and thus, while the beauty and fragrance of the Park were so far secured, the public received the additional advantage of rent to the amount of 300*l.* a year for those strips of ground. There was another case which had not been adverted to, but on which he might say a word: the mansion of the Duke of Sutherland, which was built on Crown property. The public had not suffered by that arrangement, however; for the Duke, besides having paid 72,000*l.* for the carcass of a house, and having spent an enormous sum in completing it, paid a ground rent of 750*l.* a year. With respect to the terms of the leases granted to Mr. Nash, who, it had been asserted, had received the whole, or nearly so, of Augustus-street at the nominal rent of 1*l.* per messuage, what was the state of the case? When new streets were laid out, the Crown generally let out the land to a builder on certain terms of lease; and he was allowed to sub-let the ground to others in the way most convenient to himself, the security to the Crown for the ground-rent remaining the same, and, in the case of Mr. Nash, the facts were these: The ground now forming the east side of Augustus-street, Regent's Park, together with two adjoining pieces of ground on the margin of the Regent's Canal basin, containing in the whole about four acres of grass land, were let to Mr. Nash by several leases. The result of which is, that the Crown is now in the receipt of a ground rent of 686*l.* per annum for four acres of land, which, in 1819, was grass land; and the lessee has at his own expense covered the land with dwelling-houses, warehouses, and workshops. From 1857 to 1918 the Crown will be in the receipt of a rent of 1,374*l.* per annum for the same four acres of land; and on the 5th of April, 1918, the Crown will come into the unincumbered possession of the ground, and of the whole of the buildings erected by the lessee thereon. The ground rent was apportioned on different plots of the four acres, according to what was then estimated to be the probable ultimate value of the different plots; under which arrangement a rent of 1*l.* per annum was apportioned on each of the small houses in Augustus-street—the rent now received by the Crown being at the rate of 171*l.* 10*s.* per acre per annum, and from 1857 to 1918 will be at the rate of 343*l.* per acre per annum. He would also give their Lordships the opinion of a Committee of the other House on the subject, an extract from the report of which was as follows:—

> "The Select Committee appointed in 1829 to inquire into the conduct of Mr. Nash, so far as regards the granting of lease of or sale of Crown lands in Suffolk-street, Pall-mall East, Regent-street, and adjoining the Regent's Canal, have, pursuant to the order of the House, examined the matters to them referred, and agreed to the following resolutions, which they have directed to be reported to the House, together with the minutes of evidence taken before them, and an appendix. That no evidence has been laid before the Committee to justify any charge of fraud against Mr. Nash . . . That in the remaining case, that respecting the ground adjoining the Regent's Canal (Augustus-street, &c.), the Committee have found that Mr. Nash became the lessee of the Crown, in consequence of the desire of the Regent's Canal Company, subject to certain onerous conditions connected with the interests of the company, of which he had been the projector and principal promoter. . . . . . That in the opinion of the Committee there is not, according to the evidence given, any ground whatever for impeaching the integrity of Mr. Nash, nor for supposing that the valuations for the leases of the Crown lands made by him were either influenced by improper motives, or lower than they ought to have been.—June 19, 1829."

Then with regard to the case of Mr. John Bell, to whom it had been said that a certain number of messuages in Edward-street had been granted on the easy terms of 6*l.* per annum for 99 years, from October, 1829; what were the actual circumstances of the case? John Bell, of the New-road, Fitzroy-square, in consideration of the expense incurred, and to be incurred by him, in erecting and finishing twelve houses on a plot of ground containing 180 feet frontage by 70 feet in depth, in Edward-street, Regent's Park, had a lease granted to him on the 11th of May, 1826, for a term of 99 years, from the 10th of October, 1824, at several yearly rents amounting in the aggregate to a ground rent of 72*l.* per annum, being at the rate of upwards of 250*l.* per acre per annum. This rent the Crown is now in receipt of; and on the 10th of October, 1923, the ground, with the whole of the buildings erected thereon by the lessee, will revert to the Crown unincumbered. The case of James Burton had likewise been made the subject of comment, and he was represented as holding 31 messuages in Chester-terrace, Regent's-park, at 6*l.* a year, for 99 years, and ten other messuages for the same term, at 52*l.* 10*s.* per annum. The facts were these:—A lease was granted to James Burton on the 6th of March, 1827, of forty-one plots of grounds now forming the sites of Chester-terrace, Regent's Park (upon which he has erected, at his own expense, forty-one substantial dwelling-houses, with necessary offices, stables, and outbuildings), at various ground rents, amounting in the aggregate to 711*l.* The quantity of land comprised in Mr. Burton's lease was about three acres, and the ground-rent received by the Crown (excluding the ornamental gardens) considerably exceeds 250*l.* per acre per annum. He only regretted to add, that he had been informed that Mr. Burton was a loser by this bargain to the extent of 40,000*l.* At the expiration of the lease, on the 5th January, 1926, the ground and the whole of the buildings erected by Mr. Burton thereon will revert to the Crown unincumbered. In like manner, in the case of John Hill and Edward Burton, executors of Lord Berwick, the case stood thus:—On the 28th September, 1799, about fifty years ago, a lease was granted by King George III., under the seal of the Court of Exchequer, to John Hill and Edward Burton, as the executors of Lord Berwick, for a term of ninety-nine years, from the 5th of April, 1796, of two pieces of ground, with leases of them, and of two pieces of ground then used as ornamental gardens, at the present yearly rent of the tenements, with houses, of 221*l.* 4*s.* 6*d.* per annum, and at the yearly rent for the gardens of 39*l.* 10*s.*, making the aggregate yearly rent of 260*l.* 4*s.* 6*d.* And, lastly, as to the terms on which the plot in Chandos-mews was granted to the Dowager Lady de Clifford. On the 30th of October, 1834, a lease was granted to Lady de Clifford, in consideration of the expense, considerably exceeding 2,000*l.*, which her husband, the late Lord de Clifford, had incurred in building stables and coach-houses on a plot of ground in Chandos-mews, St. Martin's-lane, having a frontage of 54 feet 9 inches, and a depth of 21 feet 5 inches, for a term of 99 years, from the 5th of April, 1832, at a rent of 31*l.* 10*s.* per annum, being a ground-rent of 11*s.* 6*d.* per foot frontage, and at the rate of 1,100*l.* per annum. That rent the Crown was now in receipt of, and on the 6th of April, 1931, the ground and buildings thereon would revert to the Crown unincumbered. It must be obvious to their Lordships, that these observations did not affect those who were now in charge of the property of the Crown; but he had taken the liberty to state these facts to their Lordships, because he felt that the honour and reputation of his predecessors, or of old officers of the department who may yet survive, ought to be as precious to him as his own. He had no doubt that these inadvertencies and misapprehensions had arisen from the fact that the parties who had made these comments had to refer to a blue book of 750 folio pages, in which the information was scattered up and down in all parts; and he had no doubt that, on the part of those who managed the property of the Crown, there might in transactions occupying that space to record them, also be found some errors and miscalculations. All he could say was, that whatever was complained of would be explained, and if error could be pointed out, the Commissioners would endeavour, as far as in them lay, to correct it. With respect to the management of the Crown property generally, he had no doubt that in this, as in all other establishments, whether of a public or private character, it would be found that from time to time improvements might be effected. An inquiry was now taking place into the management of the Crown property, and he could assure their Lordships that there was no disposition on the part of the Commissioners to hold back information, but to consider the suggestions that might be offered, and adopt any practical and well-considered measures of improvement.

The EARL of ELLESMERE said, that he was one of those with respect to whom the misinformation referred to by his noble Friend had been published, and he found himself held up to public notice by a public journal a few days since, as the possessor of a house on a larger and grander scale than was fitted to his station in life—he was represented as paying for this mansion a ground-rent of but 69*l.* a year, instead of 500*l.* a year, which it ought to be—and he was further represented as having profited by the corruption or negligence, or both, of a public department, or by the exercise of undue influence possessed either by himself or his predecessors to get that ground on those very insufficient terms—that the house he was building stood on the site of one which had been destroyed by fire—and he was also represented as inheriting it from a deceased Earl of Bridgewater, who lived much abroad, and of whom the less that was said the better—that was a general summary of what had been said respecting him, and which he only mentioned to show what pains anonymous writers in the press took to collect information on the subjects on which they wrote; but there was one thing of which it would be found the writer had been forgetful—that was the strong moral obligation every man was under of inquiring into facts before imputing misconduct to individuals, or defects to public departments in the State. The facts of the case were quite contrary to what had been alleged. As to his having a house of larger dimensions than suited his rank of life, he would not enter upon that question; but with respect to the other allegations, he had to say it was not true that the house he was building was on the site of one which had been destroyed by fire—it was not true that he paid 69*l.* a year ground rent—it was not true that he had inherited it from a late Earl of Bridgewater—still less that he had inherited it from a late Earl of Bridgewater who lived for the most part abroad—and still less from a late Earl of Bridgewater of whom the less that was said the better. He (the Earl of Ellesmere) was not a person to be proud of any accident of his position in which he had no earthly merit of his own; but if he could be proud of any accident of that description, it would be that of inheriting from one who had been a great benefactor to his country; for him, of all others of his deceased predecessors, might it be justly said, "the more said the better." As for the house for which it was said he paid an insufficient rent, he paid no rent whatever, insufficient or otherwise, to any one, for the good reason that the site was his own; and as for the slip of ground for which he paid 69*l.* a year rent, if his noble Friend opposite (the Earl of Carlisle) thought that that was an insufficient rent, he was ready to abide by his decision, and pay more if required.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, March 1, 1849.

Minutes.] Public Bills.—1° Landlord and Tenant; Spirits (Ireland).

3° and passed:—Relief of Distress (Ireland); Vice-Guardians of Unions (Ireland); Overseers (Cities and Boroughs.

Petitions Presented. By Mr. Horsman, from the Parish of Ardeley, Hertfordshire, for Inquiry respecting the Ardeley Tithes.—By Mr. Page Wood, from the Clergy and Laity of the Diocese of St. Asaph, in favour of an Extension of the Church of England.—By Mr. George Thompson, from the Borough of the Tower Hamlets, against the Maintenance of the Church of England Clergy out of the Poor Rates.—From Members of Macclesfield, Chester, for an Alteration of the Law respecting the Church of England Clergy.—By Mr. Lockhart, from the Presbytery of Lanark, against any Endowment of the Roman Catholic Clergy.—By Mr. Labouchere, from Inhabitants of Taunton, for Reduction in the Public Expenditure.—By Mr. Horsman, from the Cockermouth and Workington Railway Company, respecting the Taxation on Railways.—By Mr. Ewart, from the Borough of New Woodstock, for a Reduction of the Duties on Tea, Sugar, and Coffee.—From several of the Electoral Divisions of the Cashel Union, for Inquiry respecting the Cashel Fever Hospital.—By Sir W. Somerville, from Mary Merrick and Richard Thorpe, lately employed in the Cork Lunatic Asylum, respecting their Claim to a Superannuation Allowance.—By Mr. Roche, from Inhabitants of the King's County, for an Alteration of the Law of Landlord and Tenant (Ireland).—By Sir Alexander Hood, from the Board of Guardians of the Chard Union, for the Suppression of Mendicancy.—By Mr. Labouchere, from Master Mariners and Seamen of Whitehaven, and several other Ports, for an Alteration of the Merchant Seamen's Act.

PRISONERS IN IRELAND UNDER THE SUSPENSION OF THE HABEAS CORPUS ACT.

Mr. E. B. ROCHE begged to ask a question of the right hon. Gentleman the Secretary of State for the Home Department, upon a subject which he had brought under his notice upon a previous occasion. It related to six gentlemen who were in confinement in Ireland under the suspension of the Habeas Corpus Act. He had received a letter from one of those gentlemen, stating that four out of the number had had no hand in communicating with the newspapers; and had never in any way infringed upon the prison regulations, although they were now suffering for the faults of those who had pursued another line of conduct. He wish to hear from the Government whether they had been made aware that such was the state of the case?

Sir G. GREY replied, that since a similar question had been put to him on a previous evening he had made inquiries, and ascertained the facts of the case. It appeared that these six prisoners had been originally confined on the felons' side of the gaol, but subsequently, as an indulgence, and without any order from the Lord Lieutenant—which, however, was not necessary—they were removed to the debtors' side; and the sheriff stated that, although no distinct pledge was given, a pledge was implied that they should not avail themselves of the facilities which prisoners in that part of the prison had to forward communications for publication to the newspapers. Communications from them, nevertheless, appeared in certain journals; and the matter having been brought to the notice of the superintendent of the gaol, an inquiry was instituted, the result of which was an order to the governor to send them back to the felons' side. Of the six prisoners, two, it was stated, refused absolutely to refrain from availing themselves of any facilities that offered to communicate with newspapers; but the order having been made for the removal of the whole, they were all accordingly removed. It was necessary to add, that the cells allotted to them, were the best on that side of the prison, and in a part where the rules were not so strict as in some others; in proof of which, he might observe that he had received communications from two of the prisoners, in which they stated that they had read the discussions upon the subject of their imprisonment which had taken place in the House of Commons.

BURDENS ON AGRICULTURE—MR. DISRAELI'S MOTION.

Mr. MILNER GIBSON suggested that it would be very desirable that the House should be put in possession of the terms of the Resolution of which the hon. Member for Buckinghamshire had given notice on this subject.

Mr. DISRAELI said, he had already placed the Resolution he intended to move in the hands of the clerk at the table, and he apprehended it would be printed with the votes in the usual way.

Mr. HUME thought it important that the public should know what the exact terms of the Motion were, and, if there was no objection, he would propose that the clerk be directed to read the Resolution which the hon. Member for Buckinghamshire had placed in his hands.

The Clerk then read the Resolution as follows :—

> "That the whole of the Local Taxation of the Country for national purposes falls mainly, if not exclusively, on real property, and bears with undue severity on the occupiers of land, in a manner injurious to the Agricultural Interests of the Country, and otherwise highly impolitic and unjust.
>
> "That the hardship of this apportionment is greatly aggravated by the fact, that more than one-third of the whole Revenue derived from the Excise, is levied upon agricultural produce, exposed, by the recent changes in the Law, to direct competition with the untaxed produce of Foreign Countries; the home producer being thus subjected to a burthen of taxation which, by greatly enhancing the price, limits the demand for British produce ; and to restrictions, which injuriously interfere with the conduct of his trade and industry.
>
> "That this House will resolve itself into a Committee to take into its serious consideration such measures as may remove the grievances of which the owners and occupiers of real property thus justly complain, and which may establish a more equitable apportionment of the public burthens."

DIVISION OF POPULOUS PARISHES.

Lord ASHLEY rose to bring forward his Motion on this subject. As he understood that no opposition would be offered to his proposition by Government ; and as the general wish of the House had lately been so strongly expressed in favour of conciseness, he would be as brief as possible in the remarks with which he would preface his proposal. And, first, he wished to state, without reserve, that the proposition which he had to make would neither directly nor indirectly involve any outlay of the public money. He was fully prepared to state, on his own behalf, and on behalf of a very large body whose sentiments he spoke, that neither he nor they intended, although they reserved their abstract right to make such a claim—that neither he nor they intended to make any demand for public money until such time as the Church should have exhausted the whole of her revenues. Neither would the proposition which he had now to make involve, in any way, the slightest increase of the burdens of local taxation in the amount levied for the purpose of church rates. He wished it also to be understood that the Commission for which he would move, would be instructed to respect all the vested rights of existing incumbents ; and to proceed with their arrangements so as that they should be brought into effect only as vacancies occurred. Now, he thought that no one could have looked at the present arrangements and distribution of the parishes of this country, without observing the total want of organisation which prevailed, and the impossibility of carrying into effect any one part or principle of the parochial system. Such a faulty distribution of labour and responsibility could not be found in any other public department. If business was found to increase in the courts of law and equity, they multiplied the number of courts and judges. With the extension of the military force, they increased the number of officers. But that obvious rule had not been observed as regarded the extension of the Church of this country. Vast multitudes had been added to the population of certain localities, and the machinery of the Church still remained as it was forty-five or fifty years ago. Now, it was with the view of improving the ecclesiastical organisation—of enabling the Church to carry out her parochial system, and thus to become in reality, what she was in profession, the Established Church of the country—that he now moved for the Commission alluded to in his notice. He would now proceed to call the attention of the House to facts, which would show how utterly impossible it was that the parochial system should be carried into effect under the present organisation. He held in his hand a statement of the circumstances of half-a-dozen English parishes, in order to show the House how impossible it was that such populous districts could be properly and usefully superintended by those to whom the charge of souls was at present committed within their limits. The population of the parish of Marylebone was 138,000, that of Liverpool 223,000, that of Stockport 84,000, that of Sheffield 111,000, that of Bradford 200,000, that of Manchester 353,000, and that of St. Pancras 140,000. He could mention many other parishes, containing most enormous populations; but almost all those he had quoted were more populous than many English counties. In such a state of circumstances, how, he would ask, was it possible that the parochial system could be fairly carried out? He would adduce in detail one instance only, as an example of the evils arising from the present state of things; but he would first premise, that those evils of which he complained were twofold—that they related, first, to the parochial system itself, and, secondly, to the situation of the inferior clergy, who officiated in these vast districts. Now, what did the parochial system for its due development require? It required that the minister at the head of a parish should know his flock, and be known by them—that there should be a constant interchange of good offices between them—that he should be able to minister to them in all the rites of the Church—that he should be able to take cognisance and superintendence of their various social and moral wants; nay, more, that he should administer to their secular necessities. For in no instance was the parochial system so efficacious as in those cases in which the clergyman was able freely to communicate with and advise his parishioners, and help and console them in the hour of their necessity. But, as things stood, the minister, in many instances, was not known to one twentieth of those committed to his charge. The ministers of many large parishes were hardly ever recognised, except when they appeared in vestry or ascended the pulpit. In fact, under the present distribution, what was called the parochial system was altogether impossible. He would, as he had said, take one case to illustrate his position, and to show how impossible it was for even the most hardworking and zealous clergyman to deal with such a gigantic mass of population and such a host of obstructions as were involved by it. He held in his hand a statement of the condition of the parish of St. Pancras. The population of that parish exceeded 140,000—an amount exceeding that of many English counties. The population of Bedfordshire, for instance, was 109,000, that of Herefordshire, 114,000, and that of Westmoreland, only 56,000. Now, according to the general calculations as to church accommodation, provision ought to be made for one-third of the inhabitants of a parish—a system which, if it were to be followed in the case of St. Pancras, would provide accommodation for about 47,000. As matters stood, however, in the fourteen churches or chapels which were situated in the parish, there was only accommodation for 17,000. He ought to tell the House that the statement which he was making as to St. Pancras, referred to its condition two or three years ago, previous to the introduction of certain reforms carried into effect by the present vicar, Dr. Dale, which reforms were effected by the operation of those principles which his proposition would go to make universal in their application. Now, as to the number of churches in the parish. The whole body of clergy actually performing parochial duty in St. Pancras amounted to sixteen; an arrangement which would nominally assign to each clergyman the care of 8,000 souls. But the distribution was very unequal, for it did so happen, that to twelve of these clergymen was assigned the charge of no less than 120,000 souls, giving 10,000 to each. Such was the state of matters when the Rev. Dr. Dale, a gentleman whose zealous and self-denying exertions it was impossible too highly to praise, entered upon his duties in St. Pancras. He at once determined to use all his efforts to subdivide this immense parish. He met with much opposition, but he succeeded so far as to found five new districts, but divided in such proportions that to one clergyman was assigned the cure of 8,000 souls; to another, that of 20,000; to another, that of 12,000; to another, that of 9,000; to another, that of 7,000; and still a vast proportion of the parish remained undivided and unassigned. But let the House look to another effect produced by this want of subdivision in large parishes—he alluded to the number of children who attended schools connected with the Church. In the parish of St. Pancras, that number was only 4,000, whereas it was clear that under proper organisation the number ought to be at least 14,000, making due allowance for the numbers educated by the Dissenters; while he knew, from his pessonal experience in the formation of what were called ragged schools in the parish, that there were from

15,000 to 20,000 children who were sent to no place of education whatever. Now, Dr. Dale, by subdividing the parish, had so far succeeded, that he had set on foot additional school accommodation for upwards of six hundred children. He held, therefore, that in every respect the case of St. Pancras proved the necessity of subdivision, and that subdivision could take place universally only by the general application of those principles which he was now recommending to the House. He held in his hand a letter from Dr. Hughes, one of the incumbents of St. Pancras, who summed up his account of the evils produced by the present state of things, by stating that there was not, and could not be, anything like union between the clergyman and the people—that the great mass of the labouring population had altogether abandoned attendance on public worship—that the ordinances of the Church had, to a great extent, fallen into disuse—and that the consequence of this state of things was to deprive the clergy of all power of promoting the moral and religious improvement of the children. Another natural effect of this want of parish church accommodation was the number of proprietary chapels to which it gave rise. He was willing to give every credit to the clergymen who officiated in those chapels; but seven-tenths of them were attended only by persons in easy or affluent circumstances, leaving the great mass of the working population without any accommodation in addition to that derived from the parish churches. Besides, most of these chapels and places of worship were altogether dependent upon pew rents; and, such being the case, this happened, that there were not only no free sittings at all in connexion with them, but that there were no sittings let at rents sufficiently low to enable the great mass of the labouring population to profit by them. There was another evil attendant upon the present system of large parishes — one which was severely felt by the clergymen who presided over them. The position of the great vicars or rectors was equivocal and objectionable. They had, to a certain extent, the situation, and, in some respects, the power of bishops. Their position was that of holding, as it were, demi-bishoprics. They had great powers, but not full powers. In fact, their position was such, that both on their own accounts, and on that of the Church, it would be well if some change which would do away with present existing anomalies, and which would introduce clergymen irresponsible and independent, except of course to their bishops, could be effected. There was still another grievance respecting the working of the present system, as regarded the clergy, which he had to notice. In the large parishes to which he alluded, the parochial duties were carried on by a rector or vicar aided by a numerous body of curates. Now this was not a desirable state of things. In the first place, the number of curates was seldom equal to the due performance of the task committed to them; and, in the next place, the position which they were enabled to hold in society was not adequate to their heavy responsibilities. Of course it was not only necessary, but highly desirable, that there should be in the Church a great number of curates gradually preparing themselves for the administration of higher offices in the ministry; but he thought that all who had looked to the present state of populous parishes, and who had duly considered the real efficacy and value of the parochial system, would be of opinion that when an individual held a permanent cure of souls, it was desirable that he should be free and independent—responsible, not to a vicar or rector, but only to the great functionary, the bishop of the diocese. The present system, however, pressed severely upon the inferior clergy of large parishes, who held a position of the most anomalous character. Indeed, were they to take ten such clergymen, they would find that the position of each would be in some respect different from that of the others. He had received a great many letters from incumbents in various districts upon this subject, and the general contents of these letters he would shortly state to the House. One rev. gentleman stated that, with the same duties and responsibilities as the vicar, he was compelled to receive and to account to him for all the fees paid by the parishioners. The amount in this instance was trifling, being only about 7*l.* per annum; but it was the principle which was complained of, a principle the enforcement of which marked the inferior position of the clergyman in question; and he need not remind the House that this feeling of inferiority not only produced a painful effect upon the mind of the clergyman himself, but was productive of unpleasant sensations in the minds of those who attended his ministrations. The clergy of Staffordshire, a body having the spiritual care of 200,000 souls, had presented a memorial to the Archbishop of Canterbury upon the subject—a memorial in which they represented that the division of great parochial districts into distinct parishes would not only strengthen the hands of the incumbents, but would promote the general welfare of the Church. Similar resolutions were come to by a body of the clergy of Yorkshire, having the care of 175,000 souls, and who had recently met at Accrington. One incumbent had stated to him in detail the evils which, in his own case, were the results of the want of a proper subdivision of parishes. This gentleman wrote that in his district, with a population of between 12,000 and 14,000, he was not allowed, without the vicar's permission, to celebrate a marriage, to baptize a child, or to church a woman. Surely this was a case for the application of the principle of subdivision. In many instances he found that the rule laid down was, that all registrations must be made at the mother church. This was an arrangement which not only gave a great deal of trouble to the parishioners, but which, when coupled with the rule of celebrating the rites of the Church only in the mother church, gave rise to a great facility for the celebration of clandestine marriages. It was thus that in the metropolis and populous districts clandestine marriages were generally effected. He would only refer to a very few of the other statements made by incumbents by whom he had been favoured with letters on this subject. One gentleman wrote, that the effects of non-subdivision were in many instances to enforce payment of double rates. Another stated that he was allowed to perform no rite of the Church, save that of celebrating divine service. Another stated that he was obliged to remit to the mother church the sacramental money received in his district, for the benefit of the poor resident in another portion of the parish. Now he thought it was clear, if a clergyman were not allowed to perform any of the offices of the Church, that he did not hold that position in the eyes of his congregation and of the world which was his due. Now, the remedy which he proposed for this state of things was the appointment of a Commission, which should consider the best mode of subdividing all the very large and populous parishes. He was convinced that if such a subdivision could be effected, it would not only remove a great portion of the evils which were universally complained of, but would be of incalculable benefit to vast masses of the population. He would be allowed to prove what he advanced by reference to the case of a great parish which had been subdivided some time ago with the most marked benefit to a portion of the population, which up to the time when the change took place had been amongst the most neglected and necessitous of the inhabitants of this vast metropolis. In the year 1844 the great parish of Bethnal-green was subdivided, not so effectually as he could wish, but into districts, each containing from 8,000 to 10,000 souls. The benefits derived from subdivision had hitherto been very great. The parish of St. Matthew, Bethnal-green, had recently been assigned to the Reverend Joseph Browne, and, contrasting the state of that parish before subdivision, and after, the House would find the following results:—In 1844, before the subdivision, there was school room for only 120 children. In 1849 there were national, Sunday, infant, and ragged schools, affording education to 1,100 scholars. In 1844 there were fourteen communicants in that parish; in 1849, 160. In 1844, forty persons attended the parish church; in 1849, the church was found to be full at night, and exceedingly well attended in the morning. Between 1844 and 1849, 1,003 persons of all ages, from infancy to the age of 75, were baptised, showing how greatly the ordinance of baptism had been neglected in this district. But this neglect was quite in keeping with what had occurred in other districts. He remembered being struck with a statement made by Mr. Horner, in one of his factory reports, upon the condition of Ashton-under-Lyne, to the effect that upon the arrival of an active curate at that place, he baptised 800 persons in the course of three weeks; every one of whom had walked to the church for that purpose. Since the subdivision in Bethnal-green, there had been established loan funds, soup kitchens (self-supporting, and accessible at a reasonable price), and reading-rooms for the working people. His own experience of these reading-rooms, of which he had been instrumental in founding some himself, satisfied him that they were to a great extent effectual in drawing into them large numbers of the working population who would otherwise resort to the gin-shop. Those reading-rooms had certainly been successful in Bethnal-green. He would next take the parish of Upper Chelsea, which had recently been subdivided by the rector, the Reverend Mr. Burgess. In 1836, 15,000 souls were under the charge of the clergyman. There was one church, one clergyman, and his curate. The result of subdivision had been, that in 1849 there were erected two additional churches, which were always filled, without subtracting from the congregation of the mother church. The number of scholars had increased from the former period to the extent of 600, the district visitors amounted to more than thirty-six, no diminution had taken place in the rector's receipts, and a multiplication of associations for religious and charitable purposes was the result. Now, that was the case with respect to two parishes which had been subdivided. But that subdivision had not yet been carried out as far as was practicable. The excellent rector of Upper Chelsea confessed that he was renewing his efforts at a further subdivision, from which he anticipated additional improvement in the social and moral condition of the parishioners. He would now refer to a parish on the old foundation, one which had from the earliest times down to the present kept within reasonable limits, and came within the limits which he proposed. He should like the House to see how the parochial system had acted in that parish. To come to the parish of St. Dunstan in the East, the first parish you entered after passing Temple-bar. That parish contained 3,400 inhabitants, and was not without its share of a poor population. In Fleet-street, it was true, there was a large number of respectable tradesmen, but that street contained a number of courts and alleys filled by exceedingly poor people. The whole of that parish was contained within a quarter of a mile diameter; and the consequence was that nearly the whole of the inhabitants knew each other. Now, what was the provision made for the poor in the parish? They had a boys' and girls' school for 250 children, an industrial school, and an infant school for eighty children. Every human being being known to the clergyman and his curate, it was impossible that any of those frightful cases of destitution should occur which abounded in such overgrown parishes as Shoreditch, Marylebone, Whitechapel, and St. Pancras. He firmly believed that a better distribution of the parochial system, by bringing the poor under the superintendence and care of the clergyman, would prevent those cases of destitution and starvation which we now had to deplore—destitution which amounted to starvation, and disease which amounted to pestilence, and would prevent that which was now a scandal and a horror to every reflecting mind, and a reproach to this Christian country. He believed that this subdivision of parishes would go very far in solving that problem which had so much engaged public attention—what was to be done with our pauper population? It was his firm opinion, that if the parochial system were carried out in all our great towns, according to the model laid down, the mendicant and vagrant classes in this country would become almost extinct. Before passing to another point of his proposition, he must beg to acknowledge the benefits which had been derived from the Bill introduced by the right hon. Baronet the Member for Tamworth, which was one of the best, and at the same time one of the boldest, ever introduced into Parliament in the interests of the poor. With respect to the functions of the Commission which he now moved for, he should wish that Commission to be instructed to respect all vested rights—to respect all existing incumbents, and that the proposed subdivisions should be carried out in parts, and in succession. He should wish the Commission to be instructed to make a due apportionment of rich and poor of the various charities and charitable institutions, to apportion old and new churches and chapelries into distinct and independent parishes for all parochial purposes, and to make the ministers of all these distinct benefices as distinct as any one rector or vicar of the realm. Now he could not conceive what objection could be urged to the Motion he was about to make. He had said that he was not about to ask for a grant of public money; on the contrary, he should repudiate such an attempt. He might be asked, whence he expected funds for the endowment of these benefices? He did not contemplate reducing all benefices to one dead level; to the larger rectorial churches, for instance, might be assigned a larger population and a larger income. He answered, that some funds would accrue after the proposed subdivision, and that the division of the larger livings would yield some funds for the endowment of the smaller benefices. The funds to which he most looked would be these: In the first instance, he believed that in some cases the existing revenues would be subdivided. He looked for some results from the Commission which had recently been appointed to inquire into the management of Church lands, and he anticipated from the labours of that Commission a large sum of money, which could be devoted to the purpose of endowing these district benefices. But he also looked for assistance from the growing munificence and liberality of the members of the Church of England in this country, which had never yet been fully tested. He knew the difficulties which beset the path of those who sought to raise funds for these purposes. He knew that when 1,000,000*l.* was asked for, there was difficulty in obtaining 20,000*l.*; but these efforts had failed from the want of system. If the demands made were specific—if the object for which the funds were required was set forth—he believed that persons would give largely. He had seen an instance of this a few days ago. An incumbent of a district church had written to him to say that he had made an application to his parishioners for a sum of money to put his tottering church in repair. The answer he had received from one and all was, "Make us a distinct proposition, and we will give you as much money as you want, but until you do so we will give you nothing at all." As another proof that we had not yet sufficiently tested the munificence of the Chuch of England, he would quote the case of Bethnal-green, in which district, upon Mr. William Cotton, the Bank Director, coming forward with a specific plan, a sufficient sum of money had been collected to endow ten additional churches. Again, at this moment there was a strong desire to increase the ministration of the Church of England, as was exemplified by the large number of churches which were constantly springing up. As a proof of what individual exertion might effect, he would remind the House that the Archbishop of Canterbury, in one of his last charges to his clergy, had stated that during his connexion with the diocese of Chester, he had consecrated more churches in his diocese than had been consecrated throughout England since the commencement of the century. This he (Lord Ashley) thought was a sufficient proof that we had not yet sufficiently tested the munificence of the Church of England; and he felt quite sure that when a specific plan should be brought forward, sanctioned by the report of a Commission such as he now proposed, no difficulty would be found in raising the necessary funds. He knew that some gentlemen ran away with a notion that inconceivable sums were necessary for effecting these purposes. One gentleman, in a pamphlet which had been recently issued, had gone the length of asking for 5,000 churches and 5,000 clergymen. Now, he wanted no such thing; if they had 5,000 clergymen they would not know what to do with them. The Hon. and Rev. Baptist Noel, in a letter which he had addressed to Viscount Melbourne some three or four years ago, had asked for 2,000 churches and eight millions of money. But the public naturally considered such a scheme as too gigantic to be grappled with, and it fell to the ground. It was not to such a scheme as that, that the sanction of the House was now asked. The whole number of parishes in this country whose inhabitants exceeded 4,000 amounted to 279; and parties who had experience on this subject, and had had opportunities of deeply condering it, were of opinion that the addition of 500 clergymen, in excess of the present staff, would be quite equal to meet the exigencies of the case. Now, the incomes of 500 clergymen at, say 300*l.*, would amount to 150,000*l.* a year, which he did not think was a large sum to ask from the great, the opulent, the pious, the patriotic members of the Church of England. The only way of effecting the proposed subdivision, unless the Commission should recommend some general plan, such as he had suggested, would be by separate and local acts. That course would be both costly and troublesome. It would be necessary, then, as in the case of the General Inclosure and Tithe Act, to have some general subdivision Act, which should define the powers of subdivision. He could not understand on what ground opposition would be offered to his proposal. All that was aked was to have an opportunity for the Church of England developing those enormous resources at her command. Whichever way we turned we found the Church assailed by those who differed from her—charged with professing to be the poor man's church, when she was in fact no such thing, and when, on the contrary, she was leaving whole parishes teeming with human beings without a single clergyman. Such were the charges made against the Church; such were the charges they desired to meet, by showing that the Church was both able and willing to execute the high functions which rightly belonged to her. If, after the Church of England should have had this opportunity—if, after giving to her these powers of developing all her resources, and calling forth her energies, and of acting upon the principles she professed—if after that she should be found wanting, and the effort should be unsuccessful, then it would be time to say, "Cut her down, why cumbereth she the ground?" But in common justice to the Church, he must ask of the House this—that before they proceeded to condemn the Church for what she had not done, they would remember that she was now seeking for a power and opportunity of proving what she was both willing and able to do. His firm and conscientious belief, however, was this: that if you would untie her hands, and thus enable her to expand them—if you would give her the power of showing what she was, and all that she desired to be—if you would do this, he felt assured, that she would fully, adequately, conscientiously, and most beneficially, discharge the high and solemn duties for which, under God's blessing, she had been originally founded by the piety and love of our forefathers. The noble Lord concluded by moving the Address of which he had given notice.

Motion made, and Question proposed—

"That an humble Address be presented to Her Majesty, praying Her Majesty to appoint a Commission to inquire into the practicability and mode of subdividing, into distinct and independent parishes, for all ecclesiastical purposes, all the densely-peopled parishes in England and Wales, in such manner that the population of each, except in particular cases at the discretion of the Commissioners, shall not exceed four thousand souls."

MR. PAGE WOOD seconded the Motion; and after a pause, during which no hon. Member seemed disposed to address the House,

LORD J. RUSSELL rose and said: Sir, I waited a few moments before addressing the House, thinking that some hon. Gentleman might have objected to the Motion of the noble Lord. For my own part, I can only say that I have listened with the deepest interest to the speech which he has just delivered. No one, I think, can deny that the object he has in view is one of the greatest importance, or that the subdivision of parishes, and the placing of numbers of persons under a sufficient number of clergymen, leads to the most beneficial results, as affecting the religious, moral, and civil interests of the community. With respect to the mode by which this object is to be effected, the noble Lord said at the commencement of his speech that it is not his intention to ask for the application of any public funds for this purpose. My own opinion is, that it would not be advisable to ask for such an application of the public funds. But I believe, with the noble Lord, that there will be found means within the Church, which, if not sufficient completely to effect his object, will go a considerable way towards its accomplishment. I believe, in the first place, that there will be found considerable means yet to be derived from church property; and I also believe that the Commission which I lately advised the Crown to appoint will be able to point out how those means may be beneficially employed. For my own part, I regret that the Ecclesiastical Commissioners, when they had at their disposal the means derived from the suppression of pluralities and sinecures in the Church, did not devote larger sums for the subdivision of the larger parishes in the metropolis, and populous parishes and districts in the country. But this defect of the Commission was, I admit, to a great extent remedied by the Bill introduced by the hon. Baronet lately at the head of the Administration. That Bill, I admit, has produced the most beneficial result, and is likely, to a great extent, to effect the object the noble Lord (Lord Ashley) has in view. It should not be forgotten, either, in considering this question, that the efforts made by particular bishops in the Church, and others, for the purpose of collecting funds to be applied to the remedy of the wants of their own dioceses, have been attended with very gratifying results. I may more particularly refer to the efforts made by the Bishop of London in collecting sums for the endowment and building of a large number of churches in the metropolis—efforts which have been successful in raising a considerable sum of money—as much I believe, as 300,000*l.*—and showing with what readiness members of the Church of England will contribute for such purposes. It should also be remembered that the bounty of private individuals—men, for instance, like the late Mr. George Byng and others—has endowed and built churches, and thereby supplied the wants of the parishes with which they were connected. Such being the case, I am disposed to think that my noble Friend does not take too sanguine a view, when he says that if a mode be pointed out by which parishes may be subdivided, funds to a great extent will be supplied. I do not feel sure that the subdivision can be carried out to the extent anticipated by my noble Friend. That, however, is a matter for inquiry; and if the Commission found that they could not carry out the proposal to the fullest extent, they would nevertheless achieve a great benefit if they pointed out to what extent the principle could be carried out. I do not know what objection can be offered to the appointment of this Commission, and am therefore not disposed to trespass longer on the attention of the House. But I think that every member of the Church of England, and the community at large, whether Churchmen or Dissenters, will feel deeply indebted to my noble Friend for this, as for the many other efforts he has made to promote the moral and religious well-being of the people.

MR. HUME said, that if this Motion had not taken him by surprise, he should have been prepared to show, by facts, that many of the noble Lord the Member for Bath (Lord Ashley's) statements were incorrect. The subject was one of vast importance, he admitted; but he thought that if the country was in the destitute condition described by the noble Lord opposite, and admitted by the First Minister of the Crown, it should have been the duty of Her Majesty's Government themselves to have taken up the subject. But he altogether denied the premises of the noble Lord (Lord Ashley). He denied that churches and churchmen would remove the difficulties with which we were surrounded. It was not additional churches, but improved morality in the Church, that was required. Temporal, not spiritual, destitution it was which was felt. Church extension had not improved the condition of Bethnal-green. The noble Lord, he thought, had begun in error. He understood him to suggest a distribution of the church rates of a parish, in such a way that each clergyman of a district chapel should have a proportion of the income of the parish. The noble Lord did not call this asking for public money! What were church rates but public money? He (Mr. Hume) objected to the principle of this application. Not a word had escaped the lips of the noble Lord to let the House suppose that there was a Dissenter in the country. One would almost think that the noble Lord was speaking in the days of the Nonconformity Act. Was the noble Lord ignorant of the fact that the greater portion of the population of the populous parishes he had described were Dissenters? If he was, Gentlemen sitting near him (Mr. Hume) could impart to him the information. Why should they not purge the Church of its corruptions, instead of seeking to build more churches, and pay more clergymen? The noble Lord and his supporters, no doubt, considered themselves the best friends of the Church; but he (Mr. Hume) regarded them as its worst enemies, for they had oppposed his Motion, introduced a few years ago, to abolish pluralism and sinecurism in the Church, and which Motion was only supported by forty-three Members of that House. What claim had they, then, to be regarded as the friends of the Church, when they supported such abominations and corruptions that were sapping its foundations, and preying upon its vitality? Was it not an abomination for one man to have three or four parishes nominally to attend to, when it was only possible that he could do duty in one of them? If they wanted a Commission, let its primary duties be to look after such an iniquitous state of things as this. This Motion of the noble Lord's seemed to be put forward as a sort of foil to his hon. Friend's (Mr. Cobden's) Motion for financial reform the other night; for the noble Lord wished to persuade the people that if they had only more clergymen and more churches, their social and physical condition would be greatly improved. This was a mere attempt to mislead the people—an endeavour, by putting forward a chimera, to take off their attention from the only effectual mode of lessening the destitution and distress of the country—namely, the removal of the burden of unequal taxation. It was a very dangerous and improper thing to hold out to the people that they might expect relief from clergymen and churches, instead of looking to more rational and practical measures of legislation. The Government, too, by giving its consent to this Motion, was lending itself to the spread of the delusion; but it had better turn its attention to the more useful business of reform and retrenchment. According to the wording of the noble Lord's Motion, one would think there were no such people as Dissenters in the country. He had talked of the ragged schools, and other charities promoted by the church-going population; but he had entirely omitted any notice of the great efforts and ministrations of the Dissenting bodies in diffusing education and religion among the people. They had done more, in fact, to promote education in this country than all the churches and clergymen put together; and when the Lancasterian schools were first set on foot, the clergy of the Establishment, indeed, opposed these useful institutions on the ground that it was dangerous to educate the poor. The noble

Lord seemed to him to have done the next thing to offering an insult to the Dissenting community by his Motion. He said he proposed to meddle with only 279 parishes; but he (Mr. Hume) would deny that the large and populous parishes, such as Manchester, and other manufacturing districts, were suffering greater destitution, moral or physical, than the small parishes to which the noble Lord had alluded; and, therefore, the noble Lord's argument fell to the ground. He (Mr. Hume) would move an Amendment to introduce into the Motion, after the words, "in such manner that the population," the words, "belonging to the Church of England."

Mr. HEALD said, that, although he was not a member of the Church of England, he wished to offer his entire concurrence in the objects of the Motion of the noble Lord the Member for Bath. He believed that not only the members of the Church of England, but also the great body of Nonconformists, were under great obligations to the noble Lord for having brought forward that Motion. He entertained a deep conviction that of all the measures called for by the circumstances of the time, and the state of the nation, measures for rendering more efficient the Established Church, and multiplying the religious agencies of the country, were those which, by the blessing of God, were most likely to place our institutions on a permanent basis. And when he remembered how the Church of England was constituted, and in what peculiar relations she stood to the interests of religion in this land, he thought it was the duty of the Legislature to place her in a position which would enable her to apply her resources to the utmost possible extent towards carrying out the great objects for which she had been called into existence. What did the noble Lord ask them to do by his Motion? As he (Mr. Heald) understood that Motion, its object was neither more nor less than to enable the Church of England to remove those restraints which fettered her action, and prevented her from doing that which Nonconformists were at liberty to do. The object of it was, to enable her to extend her agency, and to add to the means of religious instruction. He held that the Church of England had a right to enjoy that advantage; and he, as a Nonconformist, was as ready to concede it to her as he claimed it for himself. It appeared to him that that Motion suggested a more fitting means of meeting the exigencies of the country, than that proposed by the hon. Member for Montrose. He could not help thinking that one of the faults of the present day was a habit of appointing commissioners to inquire, when the real want of the country was a prompt and suitable action on the knowledge which we already possessed. He believed the country was much indebted to the noble Lord for having brought forward a specific plan, such as was required by the wants of the people—wants which neither the Church of England nor the Nonconforming bodies had ever yet adequately met. He was connected with one of those parishes to which the noble Lord had alluded, and he was well acquainted with the state of the manufacturing districts in Lancashire and Yorkshire; and from his experience he should say, that if there were any fault in the plan of the noble Lord, it was to be found in the proposal that these large parishes should be subdivided into districts containing only 4,000 souls. He did not attribute to the noble Lord any intention of casting disrespect on the Dissenting portion of the community. He believed, from his knowledge of the conduct of the noble Lord during the last twenty years, and of the benevolent interest he had taken in the condition of all portions of Her Majesty's subjects, that that would be too unworthy a feeling for him to entertain. But he certainly felt that the subdivision of these larger districts into parishes containing only 4,000 souls, might engender very considerable collision and strife among various sections of the Nonconformist body and the Church of England; and there was nothing he should more deprecate than such a result. It must be remembered, that where there is the greatest disparity betwixt the existing church accommodation and the population, that there the Nonconformists have largely occupied the soil, and planted it over with chapels and schools, and other institutions of a religious, benevolent, and literary description. So extensively have their efforts been put forth, that in many districts you will find two or three chapels for one church, and Sunday schools have been erected, and are carried on, far exceeding in number and magnitude what are to be found in other portions of Her Majesty's dominions. In the borough of Stockport, which he had the honour to represent, there were, he believed, about 12,000 children attending Sunday schools, out of a population of 60,000 souls. He had further to observe, that nearly 10,000 of those

12,000 children were taught from contributions principally subscribed by the Nonconformist body. He believed that no borough in the kingdom possessed such an extensive system of Sunday-school teaching as Stockport. In the year 1842, when the operatives employed in factories left off work—at the harvest time—when a single spark in any field would have produced a universal conflagration—not one breach of the peace had been traced to any individual connected with those Sunday schools. He was glad to find that the noble Lord had not determined on limiting his proposal to parishes with 4,000 souls, but that he would be ready to extend that number. He would venture to say that in some districts the number should be extended even beyond 6,000 souls, and that in such as he had more particularly described, a number extending to 8,000 and 10,000 souls would form an area sufficiently limited to prevent collision of interests and action, and yet afford to the Church a manageable sphere for the due development of her powerful resources. His earnest desire was, that the mode of carrying out the noble Lord's Motion might be as unobjectionable as was the object of it; and that with increased efficiency upon the part of the Church of England, and freedom of action preserved to the Nonconforming bodies of the country, he might still enjoy, as he now had the happiness of doing, the confidence and friendship of a large circle of the members of the former; and that they, the Nonconformists of the land, might peaceably improve their respective spheres of duty, without the revival of any of those elements of discord and animosity, which all men must earnestly desire to be for ever allayed.

Mr. BRIGHT would forgive the hon. Gentleman (Mr. Heald) what he stated in the beginning of his speech, on account of the facts he brought forward at the end it. The noble Lord the Member for Bath protested it was not his intention to ask for a vote of money; but they had had protestations of the same kind before, which ended differently. If the noble Lord's Commission were appointed, they would probably make out a most grievous statement of spiritual destitution in several parts of the country, leaving out all consideration of the Dissenters, as Commissions of this kind were wont to do; and then might not the noble Lord come to that House and ask for a vote of money to carry out his plan? Now, he (Mr. Bright) did not rise to object to much of that plan. If he were a member of the Church of England—and he was thankful that he was not—if all the nation were churchmen, and it was part of the duty of that House to find religious instruction for the people, he should at least applaud the principle of the noble Lord's plan, although he might quarrel with some of his details. He lived in a parish of the character described by the noble Lord as fit for the application of his plan. It was a parish of 80,000 inhabitants, including ten miles square of country, and the vicar of which was not unknown to fame, one of those semi-bishops alluded to by the noble Lord, and he appointed to eight or ten churches in his district. He (Mr. Bright) had heard it made matter of complaint by churchmen that as there never had been there an evangelical vicar, there never had been an evangelical clergyman. With regard to the double rates, it had been constantly complained that persons were obliged to pay to mother church, living at one end of the parish, and probably never having travelled to the other. If Parliament took upon itself to look after these funds, he should not deny their right to make changes from time to time. The time was not come yet, though it was fast hastening on, when the principles he held on this subject would receive a more favourable hearing in that House, and be carried out in the administration of the affairs of the country. The noble Lord was in error in supposing that either in the north of England or in that metropolis, clergymen could have that precise position he hoped for. Looking at the education of clergymen, their habits, tendencies and sympathies, and seeing how upon all great public questions they differed from the great mass of those with whom the noble Lord wished them to be brought into contac , he thought there never could be that sympathy, as there was not now, which the noble Lord desired between the people and the clergy. The noble Lord said the labouring people of St. Pancras did not go to church. He believed the same might be said of large populations all over the country. When they did go, they went to chapels more than to churches. The time was not long gone by when Members of Parliament could not see any great evil in the fact of the people not going to church. The questions of religion and morality had received more attention within a recent period, and it was not to be expected that the labouring classes, by any division of parishes or parochial arrangement, could at once be induced to feel that interest in those questions which more enlightened persons did. The noble Lord remarked that persons not going to the parish church, sometimes objected to the fees for baptism, &c. He hoped the noble Lord would bear that objection in mind, on the subject of the church rates, and let it stand as a justification for the Dissenter's refusal to pay those rates. The Dissenter paid once for his own church, and he did not like to pay his money elsewhere. He had been investigating the number of clergymen compared with the population, and he found that it was amply sufficient for all the purposes of supervision, preaching, and ministering, in every way a clergyman was competent to do, as the following table would show:—

ENGLAND AND WALES.

Total benefices	10,533
Curates	5,230
	15,763
Add dignitaries, heads of colleges, &c.	1,047
	16,810
Benefices and curates	15,763
Deduct having no duties, or pluralists	3,087
Total working clergy	12,676
Benefices and curates	15,763
Population	18,000,000
Or 1 clergyman to every 1,142 of population.	
Total population of England and Wales	18,000,000
Deduct 3,000,000 who attend free or dissenting churches, and who represent 4,500,000 population	4,500,000
	13,500,000

Now, of that 13,500,000 who nominally belonged to the Church, a considerable number did not belong to it, and would not thank the noble Lord for including them within its pale. But, admitting them to be Churchmen, then the supply of 15,763 clergymen amounted to 1 for every 856 of Church population. He would now give them a few facts about the Dissenters, of whom the noble Lord had said nothing. The free churches in England and Wales amount to—congregationalists, 1,840; baptists, 1,741; various methodists, 4,239; presbyterians, &c., 130: total, 7,950 congregations having no connexion with the Church of England. Now, let them look to the distribution of the clergy power of the Establishment:—

	Population.	Ministers.		
Huntingdon	53,192	97	...or 1 in	548
Suffolk	296,317	501	...or 1 in	591
Lincoln	317,000	607	...or 1 in	522
Norfolk	390,000	699	...or 1 in	558
Total	1,056,509	1,904	...or 1 in	554
Lancaster	1,336,854	292	...or 1 in	4,578
York	1,371,359	760	...or 1 in	1,804
London & Middlesex	1,358,300	246	...or 1 in	5,521

Dioceses.	Population.	Benefices.	M.		Pop.
4 dioceses	6,148,662	2,644	1	to	6,718
19 dioceses	5,753,559	6,718	1	to	2,644

	Population.	Ministers.
London & Middlesex, Lancaster and York	4,066,513	1,298
Huntingdon, Norfolk, and Suffolk	739,563	1,297

Of the 12,923 working clergy, 6,681 had parishes with populations below 300 each, and 6,242 had parishes averaging less than 2,300 each. He should like to ask the noble Lord why he did not turn his attention to these facts, and to the vast mass of abuses which he was leaving untouched, instead of applying himself to the small mass of abuses which he (Mr. Bright) admitted ought also to be touched, but in a different direction. Why did not the noble Lord turn his attention to that state of things which expended one-half of the clergy power on one-eighth of the population, leaving the remaining seven-eighths of the population with the provision of only one-half of the clergy power. The noble Lord said, he could get the money by voluntary contribution. He could get all the money required for the Church of England in the same way if he asked for it. But as that was not done, would it not be better for the noble Lord to consolidate some of the parishes, and remove as vacancies and death would permit, when there was a small population. He would now draw attention to the increase which had taken place in sittings in places of worship since 1800, in the following places, drawing a comparison between chapels and churches. Ashton, Bolton, Liverpool, Manchester, Salford, Oldham, Preston, Rochdale, the population of which was 1,224,708.

	Churches.	Sittings.
Churches, before 1800	83	93,918
Parliamentary grants, since 1800	25	34,985
Voluntary contribution, do.	92	92,345
	200	221,248

	Churches.	Sittings.
Chapels, before 1800	96	59,445
Do. since 1800	472	243,339
	568	302,784
Of chapels—Majority by voluntary contributions	368	81,536

He would now take the cotton and woollen districts of Lancashire and Yorkshire, showing an excess of chapels, schools, and scholars of Dissenters:—

	Ch.	Sittings.	Sunday Schools.	Teachers.	Scholars.
Establishment...	367	357,984	379	12,968	116,429
Dissenters	661	359,313	707	31,737	158,601
Excess of Dissenters	294	1,329	328	18,769	42,172

Population of do.	1801.	1841.	Increase.	Per Ct.
Lancashire...	493,834	1,224,708	730,874	148
Yorkshire ...	414,000	844,563	430,563	104

And, instead of the destitution increasing with the population, it had actually decreased in proportion; for while the population had increased 148 per cent in Lancashire since 1801, and the population of the woollen districts of Yorkshire 104 per cent, there had been an increase in that time in the accommodation in places of worship of more than 240 per cent. These facts did not show that the Motion ought not to be carried; but they showed that it was a mistake to suppose that that extraordinary destitution existed which some persons imagined, when they heard of nothing but the efforts of the Church. It was true that church people were much fettered in their operations with regard to the ministering of their clergymen, the building and endowing of churches, and a variety of other matters, which they were becoming very uncomfortable under, and very much dissatisfied with. But if it were asked how they were to extend the usefulness of the Church upon the principles of churchmen, he would say they were not justified in maintaining 500 clergymen in Suffolk, 699 in Norfolk, and 607 in Lincoln, where so many churches could not be wanted. Suppose it was stated to the House that there were 500 custom-house officers at Harwich—and only 50 at Liverpool, would it not be proposed to cut down the 500 to 10, and raise the 50 to 500? The right hon. Member for the University of Oxford (Mr. Gladstone) had said on a preceding night that the Church funds were State funds. [Mr. GLADSTONE expressed his dissent.] He had so understood him. At all events, if 150,000*l.* a year were distributed among 27 bishops, and another 150,000*l.* to the deans and chapters, who made a very gentlemanly living, though he never could tell what they did for their money—it would certainly be a judicious thing to apply a portion of this money to the purposes which the Motion of the noble Lord contemplated. From his (Mr. Bright's) knowledge of a cathedral city with which he was once connected, though there were excellent men belonging to the cathedral there, yet he believed the sum of money distributed amongst them was very greatly in excess of any services they could render to the country in their situation. But there was a difficulty with which they were hardly able at present to cope. Of the livings of which he had spoken, 5,096 were in the gift of private individuals, and were, therefore, involved in some degree in the question of private property. It was a great misfortune that this system should have been allowed to grow up: it was a very difficult thing to cope with; but he believed the time was coming when it would have to be met and looked at in a very different light to that in which it had been heretofore regarded, and when Parliament would find some way of getting out of the difficulty. He would give the noble Lord one word of advice, lest he should be too sanguine. He believed that no effort of that or the other House could draw back the main portion of the population of England to subjection, either religious or political, to any priesthood which could be established by the Legislature, or paid from any public fund. That time was altogether gone by; and it would be well that the attention of Parliament should be turned rather to the question how to get out of the enormous and complicated difficulty of a State Establishment which had under its administration an annual income of four or five millions, and, probably, if well applied, a principal sum of not less than 150 millions sterling. A church so formed and so organised must disappoint the expectations of all its conscientious adherents—and be at the same time a subject of political contention in almost every part of the country. He had no hostility to the Church as a religious body; he never would say a syllable against any one of its members because he was not a member, or interfere with any of its dogmas or principles; and he only ventured to speak on it because it was a great public question—political in that House, he believed, much more than religious. As representing a constituency, and being connected with a district, where Nonconformity prevailed much more than Church-of-Englandism, he had thought he might be pemitted to state what the Nonconformists were doing, and to show that the present organisation of the Church, and its connexion with the State, was a state of things which could not long be endured, and which did not fulfil the requirements which churchmen, such as the noble Lord, expected at its hands.

Mr. PAGE WOOD should endeavour, as far as possible, to apply himself to the question before the House, without being seduced into a discussion on the subject of church rates, or the other matters that had been introduced. He considered that some of the observations which had been made by the hon. Gentleman who had just addressed the House were most pertinent, and tended to support the views which were put forward by the noble Lord who opened the debate. He (Mr. Bright) said he thought it was a grievance that an incumbent should, from the circumstances in which he was placed, be in the position of "a little bishop;" and the same opinion was expressed by the noble Lord in opening the discussion. It was a grievance to have a large body of people in a populous town under the control of one clergyman, thus placing that clergyman somewhat in the position of a bishop, without, however, having episcopal authority. It was a very natural consequence to arise, that one clergyman being placed at the head of a large town containing 70,000 or 80,000 inhabitants, if he were an honest and zealous man, he would endeavour to diffuse the peculiar views he might happen to entertain on any point of church doctrine. But he did not think it was advisable that those particular views of any individual should spread throughout one town. He thought it was a great deal better that there should be an opportunity for the development of those various opinions, which would exist so long as men were men, on subjects on which they had one common interest. It was better, therefore, to have several parishes in which those persons might locate themselves who preferred the ministration of one clergyman in comparison with another, rather than have one clergyman endeavouring to force upon a whole population doctrines in which they could not be expected to be unanimous—driving them, in a spirit of contradiction, to the erection of proprietary chapels. It was not correct to say that the noble Lord and those who supported him were actuated by a spirit of opposition to the Dissenting community. He supported the noble Lord because he felt that there existed in the country vast spiritual destitution, and that persons were to be found having no religious opinion whatever, having no faith in God, or no conviction regarding the Saviour. With respect to what had fallen from the hon. Gentleman the Member for Manchester (Mr. Bright), he begged to call attention to the fallacies of his arguments. One of the fallacies arose from his mode of taking an average; and another resulted from his considering that the ministration of the clergy was to be defined by numbers also, not by space only; whereas, with only 170 persons in a parish, the clergyman might have seven or eight miles to travel. It was also a fallacy to suppose that, in saying they should divide the population into such numbers that they should not exceed 4,000 to each clergyman, it was proposed that 4,000 was the exact number to be placed under his care. It would be better if they were not to have such a large number. He would prefer, if it were feasible, that they should only have 2,000; but he doubted, under existing circumstances, whether that would be practicable. On considering the question of averages, they would look to the historical view of the subject, and it would be found that every old town in England was largely provided with churches; for instance in the city of London there were 108 parishes, in the city of Norwich 27, and in Ipswich 11. Even there, however, the principle of average failed; for, in erecting that number of churches, consideration was not had for the extension of the towns, and in the course of time the outlying parishes, which were formerly fields, became densely populated. It would be found also, that some of the large populous towns in Lancashire had been formerly villages, for since the beginning of the last century the population of Lancashire had increased tenfold, and they were now endeavouring to remedy the grievance that arose from that state of circumstances, and to bring matters back to that state of things that was thought to be proper when the churches were founded. The hon. Gentleman had taken the average numbers of the population and the clergy— [Mr. Bright: I said there were more than 6,000 parishes with a population under 300—not on an average.] The first statement of the hon. Gentleman was that there were so many thousand clergy in England, and that on an average he gave about 1,200 persons to each clergyman. He (Mr. Wood) had also gone into a calculation on the subject, but it was not precisely the same as that of the hon. Gentleman. He had made it somewhat about 1,500 to each clergyman; but how did the case stand? It was said they had this enormous population in Lancashire, and a large number of clergy in Suffolk, and elsewhere. Now he knew a case in Suffolk, where there were two parish churches to be served, and there was no house in either of the parishes. The two parishes were consolidated under one clergyman, who had 50*l.* for each parish, the great tithes having been taken by the great monasteries, and absorbed in the universal robbery by the nobles in the time of Henry VIII. He had to walk between nine and ten miles, though he had, it was true, only about 300 people to look after; but the 300 people could not walk into Lancashire to hear a clergyman there; they must be attended to on the spot. Therefore it was not only the extent of numbers, but of space, that should be taken into consideration in dealing with this question. The hon. Gentleman the Member for Montrose had said, that he did not see what great good was likely to result from this object being carried out. He did not, he said, see what advantage had arisen to Bethnal-green from the erection of ten churches; that destitution was as great there as before; but surely the hon. Gentleman did not think that the placing of ten churches in a district two or three years since was sufficient to supply food to all the population; and he would remark that the word "destitution" was, he thought, a little misunderstood: the destitution referred to by the noble Lord was spiritual, and not bodily destitution. It must be admitted, that Bethnal-green had been in a miserable state, and that great efforts had been made for its improvement by Mr. Cotton, with the assistance of the Bishop of London. He (Mr. Wood) would now, however, call their attention to a place somewhat nearer home. He referred to the case of the two parishes in which they were then sitting. When he came to reside in those two parishes, about twenty-two years ago, there were two parish churches and four clergymen. There was, besides, one chapel, where there was merely service performed, but no other ministration, at the Broadway. At that time what was the state of things with regard to education? In St. John's parish there were thirty-seven children in the school connected with the church. But a process similar to that proposed by the noble Lord had been for some time going on in those parishes. The first happy change took place when the Ecclesiastical Commissioners appropriated two of the stalls of Westminster Abbey for the assistance of spiritual destitution in those parishes; and it was provided that, after paying the rectors of St. John's and St. Margaret's, provision was to be made for curates, who were to have districts assigned to them. Those two stalls were worth 2,400*l.* a year, and their appropriation to these purposes had been productive of the most marvellous results. They, first of all, began by converting the old Broadway chapel, a dilapidated brick building, into a handsome church, and formed it into a district. Another church had been erected, and the district of St. Mary's formed; and the church was now in actual use. Besides that, there was a temporary church, to be replaced by a permanent one, erected by contribution, through the exertions of the curate, in Palmer's Village. Through the munificence of a lady (Miss Burdett Coutts) "whose praise was in all the churches," another church had also been erected, and she was about to endow that church, as well as a parsonage house and school. Through the munificence of another individual, a prebendary of Westminster, another church was to be erected near Vauxhall Bridge Road, on ground given by Mr. Cubitt. Two others were also to be erected in St. Peter's-street and Knightsbridge by subscription. Such were the effects of the stimulus that had been given by the appropriation of the two stalls in Westminster. Instead of two churches and one chapel, with four clergymen, they had now nine additional clergymen, making in all thirteen; and they had six additional churches in those parishes, and instead of thirty-seven children in the school of St. John's parish, they had now 2,000 children. There were 60,000 inhabitants in St. John's and St. Margaret's; and, according to the plan of the noble Lord, there would be fifteen clergymen for the 60,000 persons. There were at present thirteen or fourteen, so they were within one of the proposed number; still, what was the fact? They found, from statistical inquiries now being made, that out of the 60,000 there were about 34,000 who attended no place of worship whatever. It also appeared, that between 9,000 and 10,000 children, between the ages of six and twelve, were at no school whatever. That showed what was still required to get their system into a perfectly working state. The noble Lord had said, that, as yet, they had not tried all the resources of the Church of England. He (Mr. Wood) believed that such was the fact, and therefore he would support the Motion. He thought that vast results would be produced when they had the assistance of active and energetic clergymen in bringing subjects forward before those who should support the views of the Church. It was a fault of a large portion of the laity of the Church that they did not come forward to support it, the reason being, however, that the matter had not been sufficiently brought under their attention. He had shown much that had been done in those parishes; but besides that there was a fund raised there called the Spiritual Destitution Fund. It was raised by one of the prebendaries of the church of Westminster making it his duty to go round to every individual he thought able to contribute, and laying his case before them. So that, with assistance from some other quarters, a sum of 20,000*l.* was raised, out of which salaries were given to certain curates, and schools were supported. All this had been done because additional clergy were given to the district; and when the noble Lord said that for such purposes as he had pointed out it would not be difficult to raise 150,000*l.*, he perfectly agreed with him. When the state of education in the manufacturing districts was found to be in a deplorable state, the Church in one year raised 150,000*l.*; and he would not admit that the Dissenters were a bit more forward than the Church in supporting education. He had one other instance to state in support of his views, and it was to be found in a manufacturing district. The hon. Gentleman the Member for Stockport (Mr. Heald) had spoken of the vast efforts of the Dissenters in those districts, and they seemed unquestionably to be very great; but there was another manufacturing town to which he (Mr. Wood) would refer. In the town of Leeds an instance was given of what could be done, and also of what was required to be done on this occasion. As the noble Lord had stated, the churches were established in Bethnal-green in 1843; and the vicar of Leeds (Dr. Hook), seeing the advantage of it, brought a measure before Parliament to deprive himself of one-half his income, to give it to the different district churches, one of the conditions being that the floors of the churches in those districts should be free to the poor. The hon. Gentleman the Member for Manchester had said that the Church could never have the affections of the large body of the people. [Mr. BRIGHT: I said as an establishment.] He did not admit that; but he thought the hon. Gentleman had applied his observation to the great body of the clergy, and had said they could not retain the affections of the great body of the people. He quite agreed with the hon. Gentleman in not calling the clergy "the Church." He believed that none of the clergy wished to be so called; and it must be owing to his hon. Friend's ignorance of the internal arrangements of the Church that he spoke of again bringing the laity into subjection to the clergy. He did not believe there were twenty clergymen in the kingdom who wished to bring the people into subjection to them. But the vicar of Leeds possessed the affections of the people. [Mr. F. O'CONNOR: Hear!] The hon. Member for Nottingham who cheered that statement, no doubt recollected that a large meeting of Chartists separated with three cheers for the vicar. That compliment, however, was solely gained by the efforts he had made for the spiritual welfare of the people. He (Mr. Wood) would further impress upon the House the extreme importance of having a general measure on this subject. In the case to which he had referred, Dr. Hook brought forward the Bill on his own responsibility, and though it was not opposed, it had to undergo an investigation by the Church Commissioners, and considerable expense was incurred. The result, therefore, of bringing in a Bill to deprive himself of one-half his income was this—through the liberality of the House of Lords they remitted one-half the fees—he did not know whether that House followed the example—through the liberality of the counsel for the Commissioners and the counsel who prepared the Bill, they declined to take any fees, and yet, after all that, Dr. Hook incurred an expense of 1,400*l.*, having to pay 700*l.* to his town agents, and 700*l.* to his country agents. There should be a division of those enormously populous parishes; and he (Mr. Wood) had shown that in the cases to which he had referred, such subdivision had proved to be most beneficial. It was essential and necessary to carry that into effect, in consequence of the enormous expense of individuals attempting it, and it would also tend to develop the resources of the Church. He might mention, that the rev. gentleman to whom he had referred, (Dr. Hook) had, during the ten years he was rector, levied 100,000*l.* for church purposes by voluntary contributions—that was, 10,000*l.* a year. The noble Lord had understated his case when he said he asked for no public money—his measure would save much public money; it would save expenditure on prosecutions, in gaols, and in transportation. He was not one who looked altogether without pain and alarm at the fact that there were growing up large masses of the community throughout the kingdom who had not the slightest notion of religious obligation; and he thought that if that state of things went on to a much greater extent, the House would soon have much more serious things to discuss than the question of reduction of expenses, however important that might be. Without wishing at all to arrogate for this country a larger amount of wisdom or sacredness than other countries, still he believed that it was the feeling of almost every hon. Member of that House, that if, owing to the blessings of Providence, this country had escaped many of those evils which had desolated others, those blessings had been showered upon it in consequence of the efforts, poor and miserable as they might have been, which had been made towards the diffusion of religious knowledge among its inhabitants.

Mr. HORSMAN tendered his best thanks to his noble Friend (Lord Ashley) for the service he had rendered on this as well as on other occasions to the Church; and he thought his noble Friend had reason to be grateful at the result of the debate. The hon. Member for Montrose himself sympathised with the object of his noble Friend, and merely sought to amend his Motion. The hon. Member for Manchester also concluded by suggesting, as an improvement, that small parishes should be united as well as large ones divided; but neither the one nor the other directly opposed the proposition of his noble Friend. The ancient parochial constitution of the kingdom was, that any parish should be of such dimensions that it could be administered by the strength of one man—that no part of it should be so remote as that it should not be accessible to the instruction of its spiritual guide. That principle was lost sight of, and the Church was injured in consequence. It was the endeavour of his noble Friend to bring them back to that principle. In his character as a churchman, a Christian, and a legislator, he desired to give that principle as much extension as possible. It was said that no allusion had been made by his noble Friend to the dissenters. He did not see that any allusion to the dissenters was much to be expected in a matter that solely affected the Church. There was nothing either in the tone or object of his noble Friend's speech which could be considered as of an aggressive character as regarded the dissenters. It was aggressive in one way; that was to say, it attacked ignorance, infidelity, sin, and crime. He was sure that his noble Friend was not actuated by any feeling of hostility against the dissenters. There was enough to do both for themselves and dissenters. There were many men who were not churchmen, and yet were not dissenters, and there were many who were not dissenters and yet were not churchmen. Here was a large field where all might meet, not for the purpose of sectarian hostility, but for the higher purpose of Christian rivalry. The hon. Member for Montrose said there were faults in the Church. There were: he was not disposed to palliate these faults; but it was a pleasure to him, when, having stated what he considered he ought to state in that respect, he could state what he thought to be the advantages of the Church. He thought that in times past the Church had been a great blessing; and he trusted that in time to come, notwithstanding the predictions of his hon. Friend, it would be a still greater blessing. It was to that end that his noble Friend's efforts were directed, and to promote it he (Mr. Horsman) would give every aid. He looked on the measure of his noble Friend as the accompaniment of those which he had himself proposed, and without which, indeed, they would lose most of their value. He was grateful that his noble Friend had taken the subject up, because his ability and his influence would probably carry it to that successful result which it would not have in less experienced hands. He trusted that in appointing this commission it would be composed of gentlemen who would give their time to the labours of it, so that the inquiry would not be postponed or the report retarded.

Mr. SIDNEY HERBERT said, that the speech which he had just heard of the hon. Member for the city of Oxford, had entirely relieved him from the necessity of replying to the hon. Members for Montrose and Manchester. There were some slight errors in the calculation of the hon. Member for Manchester; he did not know that they were very material; he had stated, for instance, that there were several clergymen holding two livings, and he had strangely enough omitted those persons on that account from his calculation of the average, and that might perhaps account for the discrepancy between his numbers and those of the hon. Member for Oxford. The hon. Member for Manchester had also spoken in terms of disparagement of chapters and cathedrals; and the hon. Member for Montrose had proposed to add to the Motion a suggestion to the Commissioners to inquire into the evils and abuses which existed in the Church, such as plurality and non-residence. By law those things were already dealt with; but he did not deny that it would be expedient to carry out the restrictions with respect to plurality and non-residence still further. In voting against the Amendment of the hon. Member for Montrose, he hoped that he should not be understood in any way as ranging himself with those who defended plurality; and he hoped to see the time when those things would be unknown entirely in the country, and the establishments again made applicable to the uses for which they were intended, strengthening the parochial system of the country. He knew that many gentlemen connected with chapters were desirous that the law should be altered and their fetters struck off, so as to enable them to perform the duties for which the chapters were originally formed. He hoped, before the end of the Session, to be able to submit to the House some observations upon the subject of those establishments. He thought that the thanks of every churchman and every man of every religious denomination in this country was due to the noble Lord for his efforts to combat the irreligion and infidelity of the country. It was to be hoped that the Commissioners, in endeavouring to obtain statistical accounts of the various districts, would take advantage of the information to be obtained from the archdeacons and other officers connected with these establishments. They would then be enabled to collect a valuable fund of useful information upon which to found their reports. The hon. Member for Montrose had said in reference to the parish of St. Pancras, that there were a large number of Dissenters there. He (Mr. Herbert) would be most happy if the numbers were larger than they were; they would not then, perhaps, hear such lamentable accounts of the spiritual destitution of the people. They had lately heard of the case of some boys who had expressed their astonishment at the things which were taught them—not dogmas of theology or catechisms, but it was said that their exclamation was, "We have never heard of such a strange thing as the doctrine of the immortality of the soul." It was a lamentable thing, that in a Christian country there should be persons living who were ignorant whether the soul woul exist in a future state or not, who were ignorant of the doctrine of the redemption, and knew not that there was any salvation for them. He trusted that the hon. Member for Montrose would withdraw his Amendment, and allow the Motion of the noble Lord to pass as originally proposed.

Mr. HUME said, that there appeared to exist a great misunderstanding with respect to the course which he had taken. He did not object to the present inquiry; on the contrary, he wished it to be carried further; he would not be supposed to limit it to the proposed inquiry, lest it might be supposed that he thought further inquiry unnecessary. With respect to what he had said on the subject of destitution, he certainly understood the noble Lord to refer, in addition to the spiritual destitution of the people, to their physical destitution, and to state that the suffering and starvation of the people would be put a stop to by the adoption of his suggestions. [Lord Ashley: No, no!] The first Amendment which he should propose would be to the effect that the inquiry should not extend to the whole population, but to the population only which attended the Church.

Mr. BRIGHT wished to know whether the noble Lord would have any objection to the Amendment, if those portions of it were struck out which did not refer to the union of small parishes?

Mr. HUME said, the hon. Members opposite were running away with the idea that he was hostile to the Motion; he merely wished to extend its sphere of usefulness.

Mr. GOULBURN hoped the House would be cautious before it admitted the

Amendment of the hon. Member for Montrose. The tone of his speech showed that he was not very friendly to the Motion. There were two modes by which the Motion might be defeated—one was by positive argument, in which the hon. Gentleman must see that he had no chance of success at present—the other was the imposing upon the Committee duties which it was not likely to fulfil satisfactorily, and by involving it in a mass of investigation and inquiry, which it would be unable to wade through, and prevent its coming to any satisfactory conclusion. Now one main object they had in view was to obtain the most speedy information on the subject. He trusted, therefore, the House would not accept the Amendment of the hon. Gentleman, as it involved legal questions, and questions of patronage and property, which it would be extremely difficult to deal with. Under these circumstances he thought his noble Friend would best consult the interests of the Church, and promote the objects he had in view, by declining to accede to the hon. Gentleman's Amendment. He would take that opportunity of saying, that it was gratifying to him to find that a noble Lord, whom on public and private grounds he highly respected, should have stood forward as the promoter of an object which he believed would be, if carried into effect, attended with the most beneficial results, not merely to the Church, but to the country at large.

Amendment proposed, after the word "population," to insert the words "belonging to the Church of England:"—Question, "That those words be there inserted," put, and negatived.

MR. HUME would now propose to insert the words "and of uniting parishes where practicable and advantageous."

LORD ASHLEY said, he concurred in the object of the hon. Member for Montrose, because he believed it might be desirable in some instances, particularly in London, to unite parishes. But as he believed it would have the effect of impeding the inquiry of the Commissioners, he hoped he would not press his Amendment, although any proposition of that sort, if made independently, he would support.

LORD J. RUSSELL said, he would object to the proposition of his noble Friend, if he was willing to add the words proposed. He thought it better not to add those words, which would give rise to difficulties connected with questions of property. The object might be desirable in itself, but it ought not to be a matter of inquiry by this Commission.

MR. BROTHERTON hoped his hon. Friend would withdraw his Amendment.

SIR E. BUXTON considered that such an inquiry as the hon. Member for Montrose suggested, would be highly desirable at a proper time, and it did appear hard to refuse those powers which might be necessary for rendering the Church more useful than it was at present; but he yet felt unwilling to assent to anything that would seem to interfere with the Motion of the noble Lord. Each proposition might be good in itself, but one of them should not be allowed to interfere with the other.

LORD ASHLEY, in reply, said, he had been grievously misunderstood in his former statement. He had been charged with not making mention of the efforts of the Dissenters. In bringing forward a question of this kind, which was purely one relating to the Church and its free action, he did not think it necessary specifically to refer to what had been done by the Dissenters. Had he been asking for a grant of public money, or making a general statement respecting the spiritual destitution of the country at large, it would be his duty to set before the House all that had been done, and all that was doing, by the great body of Nonconformists. The hon. Member for Montrose had been unjust to him in saying that he coupled ragged schools with the Church exclusively. He did no such thing; and it would be most unjust if he were not to say, on behalf of those who were interested in ragged schools, that they were deeply indebted to the Dissenting body, with many of whom he acted on terms of the most perfect accordance. He must also allude to what fell from the hon. Member for Stockport (Mr. Heald), because he should be sorry that any impression should exist on his mind, that he (Lord Ashley) did not estimate to the full the great efforts of the body to which the hon. Member belonged. There was no one connected with the manufacturing districts, and particularly with the West Riding of Yorkshire, who must not see that as patriots and as Christians, they were most deeply and inexpressibly indebted to the pious efforts of the Wesleyan body, were it not for whose exertions he felt bound to say whole districts would be worse than if in a state of heathenism. He hoped he had now done justice to the efforts of the Dissenters. He did not say, as was attributed to him by the hon. Member for

Montrose, that the providing for spiritual destitution, would do away with physical destitution. What he said was, that if parishes were to contain only 4,000 individuals, the physical destitution of the poor must be necessarily better known to the clergyman and the district visitors, and that the very fact of this knowledge would contribute much to the alleviation of that distress. At present distress prevailed most in those districts which were least known. The hon. Member for Manchester must also consider that the population might be comparatively small, and the parish very large in extent. The parish of Aberystwith, for instance, was eighteen miles long. He could name a parish of 300 inhabitants, the clergyman of which told him that it was with the utmost difficulty, although he worked every day for nine hours, he could see each of his parishioners once a fortnight. In many other parishes he heard clergymen say it took a whole day to visit a single family. Suppose he had to go twelve miles distant, he would have to travel twenty-four miles, which would consume the best part of a summer's day, and a whole winter's day. The noble Lord concluded by thanking the House for the indulgence which had been always extended to him when addressing it.

Mr. W. BROWN said, that as the feeling of the House was evidently against the Amendment, he hoped his hon. Friend (Mr. Hume) would not press it; although, as it was he who suggested the words, he should vote for it if his hon. Friend insisted on a division.

Mr. HUME said, he would press the Motion for a division.

Amendment proposed, at the end of the Question, to add the words, "and of uniting parishes, where practicable and advantageous:"—Question put, "That those words be there added."

The House divided:—Ayes 18; Noes 111: Majority 93.

List of the Ayes.

Blewitt, R. J.
Brown, W.
Cobden, R.
Crawford, W. S.
Ellis, J.
Gibson, rt. hon. T. M.
Harris, R.
Henry, A.
Kershaw, J.
Mowatt, F.
O'Connor, F.
Pilkington, J.
Smith, J. B.
Thompson, Col.
Thornely, T.
Wawn, J. T.
Wrightson, W. B.
Wyld, J.

TELLERS.
Hume, J.
Bright, J.

List of the Noes.

Acland, Sir T. D.
Adderley, C. B.
Armstrong, R. B.
Baines, M. T.
Baring, rt. hon. Sir F. T.
Baring, hon. F.
Bellew, R. M.
Bernard, Visct.
Blackall, S. W.
Bowles, Adm.
Boyle, hon. Col.
Brotherton, J.
Bruce, C. L. C.
Busfeild, W.
Buxton, Sir E. N.
Campbell, hon. W. F.
Carter, J. B.
Chaplin, W. J.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Cobbold, J. C.
Craig, W. G.
Currie, H.
Drumlanrig, Visct.
Dundas, Sir D.
Dunne, F. P.
East, Sir J. B.
Elliot, hon. J. E.
Ferguson, Sir R. A.
FitzPatrick, rt. hn. J. W.
Foley, J. H. H.
Fortescue, C.
Fox, R. M.
Fuller, A. E.
Gladstone, rt. hn. W. E.
Gore, W. R. O.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granby, Marq. of
Grenfell, C. P.
Grey, rt. hon. Sir G.
Haggitt, F. R.
Halford, Sir H.
Hay, Lord J.
Hayes, Sir E.
Heald, J.
Herbert, H. A.
Herbert, rt. hon. S.
Hervey, Lord A.
Hildyard, R. C.
Hill, Lord M.
Hodges, T. L.
Hood, Sir A.
Hope, Sir J.
Hope, A.
Horsman, E.
Jolliffe, Sir W. G. H.
Jones, Capt.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Langston, J. H.
Lennard, T. B.
Lewis, G. C.
Lewisham, Visct.
Lopes, Sir R.
Macnaghten, Sir E.
Macnamara, Maj.
Mahon, The O'Gorman
Maitland, T.
Mangles, R. D.
Masterman, J.
Maule, rt. hon. F.
Mitchell, T. A.
Monsell, W.
Moore, G. H.
Mulgrave, Earl of
Mullings, J. R.
Napier, J.
Newdegate, C. N.
Newport, Visct.
Nugent, Lord
O'Brien, Sir L.
Pakington, Sir J.
Parker, J.
Plumptre, J. P.
Pusey, P.
Romilly, Sir J.
Russell, Lord J.
Sandars, G.
Sandars, J.
Scholefield, W.
Sheridan, R. B.
Slaney, R. A.
Smith, J. A.
Smyth, Sir H.
Somerville, rt. hon. Sir W
Spooner, R.
Stanton, W. H.
Strickland, Sir G.
Stuart, J.
Tancred, H. W.
Thicknesse, R. A.
Townley, R. G.
Tufnell, H.
Turner, G. J.
Verney, Sir H.
Walpole, S. H.
Walsh, Sir J. B.
Westhead, J. P.
Wodehouse, E.
Wood, rt. hon. Sir C.

TELLERS.
Ashley, Lord
Wood, W. P.

Main Question put, and agreed to.

POOR LAWS (IRELAND).

Lord J. RUSSELL said, that as the Motion which he had to make related to the report of the Committee appointed by that House to consider the subject of Irish poor-laws, and as that Motion had been carried by a large majority, he need then only ask the House to go into Committee, and when the House was in Committee he would state what he had to propose.

Order for Committee thereupon read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words, "it is unconstitutional and unjust to impose on Ireland separate national taxation for the wants of particular localities, so long as the public general revenue of Ireland is paid into an Imperial Treasury, and placed at the disposal of an Imperial Legislature for the general purposes of the united kingdom," instead thereof.

MR. SHARMAN CRAWFORD said, that to the Motion before the House, he (Mr. S. Crawford) had to move the Amendment which had just been read from the chair. He objected to any separate system of national taxation for Ireland under the present constitution of the empire. The Act of Union was framed on the principle of combined responsibility. The Union itself was forced on Ireland; but England, having taken Irish poverty into partnership, could not now repudiate the results of that connexion. He would not then enter into the question whether the repeal of the Union would be advantageous to Ireland or not: but if the Union was to be maintained, the principle of united responsibility must be its basis. When a smaller country was united to a larger one, whose inhabitants were the most numerous and influential of the two, there was no security for its interests but that of united responsibility. On this ground, he maintained that it was unconstitutional to create a separate system of national taxation for Ireland. It was unjust, also, to the industrious portions of the Irish community that they should be taxed in order to protect the landed proprietors of the west of Ireland against the results of their own misconduct. The rate in aid was proposed chiefly for the purpose of protecting the estates of those proprietors by fixing a maximum rate, and levying the difference on the industrial means of the people of Ulster and Leinster. The land ought to be brought to market and made responsible to the fullest extent, before any other means were taken to compel the industrious part of the community to pay for the misconduct of other portions. From the time of the Union the finances of Ireland had been in the hands of England, and her extravagant management had raised the debt of Ireland from 28,000,000*l*. in 1801, to 130,000,000*l*. in 1847. The principal plea urged in favour of imposing this tax was, that Ireland had been guilty of great defalcations with regard to her debt. Whatever might have been done in that respect, England herself was responsible for it. At the time of the Union the contribution of Ireland towards the English debt was fixed at the proportion of two to fifteen. It had been acknowledged subsequently that that amount was excessive. The Finance Committee of 1815 said that experience proved that Ireland had laboured under too great a burden. He maintained that Ireland was not justly chargeable with any portion of the debt which had not been incurred before the time of the Union; but he would not stand out on that point. If any hon. Member would propose a Select Committee to ascertain what proportion of charges could be fairly apportioned to Ireland, he would assent to such a mode of settling the question. Another plea for establishing a separate system of national taxation was, that Ireland was not subject to the same taxation as England. Why was she not so? England had had the power of taxation in her own hands, and having abstained from taxing Ireland equally only on the ground of her incapacity to bear equal taxation, that formed no ground for now imposing a separate system of national taxation. For his own part, he was perfectly willing that Ireland should pay the income tax, or any amount of taxation which would be just and fair. On that point he was very anxious not to be misunderstood: he did not demand anything from England except on the ground that Ireland was prepared to pay her fair proportion of the taxes of the united kingdom. He had voted for the extension of the income tax to Ireland, and he should be ready to vote again for the imposition of any tax on that country with which it was fairly chargeable. He did not wish to see his countrymen coming before the British Parliament as beggars; he would rather see them approach the Legislature as independent men, willing to pay their fair proportion of taxation into the Imperial Treasury, but, at the same time, determined to maintain their rights. It was said that England kept her own poor, and Ireland should do the same. He was quite willing that Ireland should maintain her own poor in the same way that England did; but this country had never acted on that principle of making the whole nation responsible for the local wants of particular districts. He did not deny that advances of public money might be necessary at the present time to save the Irish people from starvation; but he maintained that all advances should be made out of the Imperial Treasury—that Ireland should be charged with her fair proportion of the debt—and that not one farthing should be applied without previously making the lands of the distressed districts responsible for the repayment. He was opposed to grants, as injurious to the real interests of the Irish people. The attempt to feed a pauper population was an impracticable one. What the people wanted was, not only food but clothes. Any relief which could be afforded would, therefore, be only temporary; and if the system were persevered in, nearly the whole community would become dependent on it. Now, the Government intended to propose a sixpenny rate. What would such a rate do towards relieving Irish pauperism? If Ireland consented to the imposition of a sixpenny rate, the extent of the demand would be incalculable; the demand of sixpence after sixpence would go on without any limit. He called upon English Members to do as they would be done by, and not to tax the industry of the northern and middle districts of Ireland on account of the extravagance and mismanagement of the western parts. It was most cruel and unjust to call upon the industrious population of Ulster to submit to a tax to which there would be no end. The House should recollect that the great hold of England upon Ireland was maintained through the feelings of the inhabitants of those districts. Ulster had always stood firmly by the British connexion; and he appealed to the House not to weaken the ties by which she had been bound to this country.

Mr. E. B. ROCHE rose to say that he did not understand the object of the Motion of his hon. Friend. Every one admitted that something must be done for the relief of the distress of the people in 20 unions. His hon. Friend, as he understood him, proposed, in fact, an income tax, as he had supported on former occasions an income tax for Ireland. Now he (Mr. Roche) wanted to know what the Government had to propose. If the proposition of the Government was better than an income tax, he would support it; if worse, then he would vote against it. He wanted to have this subject discussed, where it best could be discussed, in Committee. He did not wish to clog himself with an abstract resolution in the first instance, and then go into the discussion of a practical proposition. Now, he preferred the practical proposition to an abstract resolution; and then he must say the mode of reasoning employed by his hon. Friend did not make him regard his abstract resolution with overmuch favour. His hon. Friend had appealed to the House not to tax Ulster for the benefit of Connaught. Why, he (Mr. Roche) must, on the contrary, say, that there was something like a retributive justice in the rate in aid being required in Ulster; for he said to the Gentlemen opposite, to those who now possessed landed estates in the north of Ireland, that when their ancestors came and planted themselves in the north of Ireland, they exterminated the Catholic population, or they gave them this alternative, "You shall go to hell or to Connaught?" The Catholic population took the latter alternative, and they went to Connaught—they increased there in hundreds, he might say in millions, as his hon. Friend near him had suggested; and now the descendants of the men who had estates in the north were called upon to support the descendants of those who had been driven into Connaught. If, then, the rate in aid were to be opposed, he hoped that better and sounder reasons would be given for the opposition than those offered by his hon. Friend. He hoped, too, that those who opposed the proposition of the Government would be able to show that there was a better means of supporting the poverty of Ireland. He hoped, too, that they would all be prepared to decide upon some practical measures, and have something better before them than an abstract resolution.

Viscount CASTLEREAGH appealed to the hon. Member for Rochdale to withdraw his Amendment, and permit the House to go into Committee. Agreeing, as he did, very much with his hon. Friend, yet he thought that they ought to have an opportunity of hearing what the Government had to say in favour of this most extraordinary measure.

Mr. S. CRAWFORD was very anxious to oblige his noble Friend; but upon this occasion he could not consistently do so.

The Marquess of GRANBY wished to state the grounds on which he felt it his duty to give his vote against the Amendment. He should feel obliged to vote against the Amendment, because he thought that it was most objectionable to propose an abstract principle of this kind before they went into Committee on the resolutions of the noble Lord at the head of the Government. At the same time he should also oppose the resolutions of the noble Lord, as he thought they embodied an unfair and partial measure.

COLONEL DUNNE said, he should at present feel satisfied with protesting against the measure in the terms of the resolution of the hon. Member for Rochdale. He thought that it was only fair that the whole empire should be taxed to meet an emergency like the present. If any great misfortune or calamity should unfortunately occur in Lancashire or any other spot, he thought that any charge which might be necessary to meet it, should be borne by the whole empire.

SIR J. B. WALSH believed, that a general understanding prevailed between many hon. Gentlemen, that before Mr. Speaker left the chair there should be a discussion on the general principle of the measure of the noble Lord. Many hon. Members who could not assent to the proposition of the hon. Member for Rochdale were anxious to record their opinions on this subject. For his own part, he did not wish to speak on the question which the hon. Member had submitted to the House; but before Mr. Speaker left the chair, he should enter upon the consideration of the contemplated plan.

MR. REYNOLDS implored the hon. Member not to divide on that occasion. He thought it was only fair that Mr. Speaker sheuld be allowed to leave the chair, so that they might all know what were the intentions of the Government.

Question put, "That the words proposed to be left out stand part of the Question." The House divided:—Ayes 139; Noes 15: Majority 124.

List of the AYES.

Acland, Sir T. D.
Adair, R. A. S.
Anson, hon. Col.
Armstrong, R. B.
Arundel and Surrey, Earl of
Baines, M. T.
Baring, rt. hon. Sir F. T.
Bass, M. T.
Bellew, R. M.
Berkeley, C. L. G.
Bernal, R.
Bernard, Visct.
Boyle, hon. Col.
Broadley, H.
Brotherton, J.
Brown, W.
Bruce, C. L. C.
Buck, L. W.
Bunbury, E. H.
Busfeild, W.
Carew, W. H. P.
Chaplin, W. J.
Christy, S.
Clerk, rt. hon. Sir G.
Cobbold, J. C.
Cocks, T. S.
Coles, H. B.
Cowan, C.
Craig, W. G.
Cubitt, W.
Currie, H.
Davies, D. A. S.
Disraeli, B.
Dodd, G.
Duckworth, Sir J. T. B.
Duncan, G.
Dundas, Sir D.
Dundas, G.
East, Sir J. B.
Ebrington, Visct.
Ellis, J.
Elliot, hon. J. E.
Fordyce, A. D.
Forster, M.
Fuller, A. E.
Gordon, Adm.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Granby, Marq. of
Greene, T.
Grey, rt. hon. Sir G.
Halford, Sir H.
Hardcastle, J. A.
Hawes, B.
Hayter, rt. hon. W. G.
Herbert, rt. hon. S.
Hervey, Lord A.
Heyworth, L.
Hildyard, R. C.
Hobhouse, T. B.
Hodges, T. L.
Hogg, Sir J. W.
Hood, Sir A.
Howard, Lord E.
Jackson, W.
Jolliffe, Sir W. G. H.
Keppel, hon. G. T.
Kershaw, J.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lennard, T. B.
Lewis, G. C.
Lindsay, hon. Col.
Locke, J.
Lopes, Sir R.
Mackenzie, W. F.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Manners, Lord G.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Moore, G. H.
Morris, D.
Mulgrave, Earl of
Mullings, J. R.
Newdegate, C. N.
Nugent, Lord
O'Brien, Sir L.
O'Connell, M. J.
O'Connor, F.
Ord, W.
Paget, Lord C.
Pakington, Sir J.
Parker, J.
Perfect, R.
Pilkington, J.
Plowden, W. H.
Plumptre, J. P.
Prime, R.
Raphael, A.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Romilly, Sir J.
Rufford, F.
Russell, Lord J.
Salwey, Col.
Sandars, G.
Shelburne, Earl of
Sheridan, R. B.
Sibthorp, Col.
Slaney, R. A.
Smith, rt. hon. R. V.
Smyth, Sir H.
Somerville, rt. hon. Sir W.
Spooner, R.
Stanton, W. H.
Stuart, J.
Talbot, C. R. M.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, hon. F. J.
Townley, R. G.
Waddington, H. S.
Wall, C. B.
Walmsley, Sir J.
Walsh, Sir J. B.
Wawn, J. T.
Wilson, J.
Wilson, M.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wrightson, W. B.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Archdall, C. M.
Baring, hon. F.
Barron, Sir H. W.
Castlereagh, Visct.
Fox, R. M.
Hayes, Sir E.
Macnaghten, Sir E.
Macnamara, Maj.
Meagher, T.
O'Connell, J.
O'Flaherty, A.
Osborne, R.
Scully, F.
Tenison, E. K.
Tennent, R. J.

TELLERS.

Crawford, W. S.
Dunne, Col.

Question again proposed, "That Mr. Speaker do now leave the chair."

SIR JOHN WALSH then proceeded, pursuant to notice, to move a negative on the question that Mr. Speaker do leave the chair. He congratulated the House upon the great celerity which they had imparted this Session to their proceedings, and which appeared to extend to their Committees. The promptitude with which the Committee had come to a decision on a matter of such importance was utterly without precedent. He had heard of a late gallant and chivalrous Irish nobleman, whose advice to his sons was—"Fight first, boys; and explain afterwards." The Committee appeared to have adopted a similar policy. They resolved first, and they inquired afterwards. So rapid was the progress of legislation now-a-days, that a Minister of State was sometimes startled at the marvellous celerity of his own movements, and found it impossible to pause for a moment in order to offer one word of explanation, or to make one word of inquiry. So it appeared to be in the present case. How did the present resolution come before them, and what was the exact value that ought to attach to it? The course that had been pursued with reference to it was most unconstitutional. It was quite an unprecedented proceeding, and one which did not at all accord with the doctrine of a Minister's proper and wholesome responsibility; that a Minister, feeling that he had not at his own command adequate sources of information, should appoint a Committee for the avowed purpose of obtaining the required information, and should then come down to that Committee with a resolution cut and dry, and having submitted it to the Members, and obtained their sanction to it, without producing one word of evidence in its justification, should then bring it before the House of Commons, and solicit the House to record their approval of it, fortifying his case by representing that it faithfully reflected the opinions of the Committee from which it emanated. Such a proceeding was alike contrary to the spirit of the constitution and the practice of Parliament. The resolution was at best nothing more than the record of the private opinion of six-and-twenty Members, whom the noble Lord at the head of the Government, in the exercise of that power which belonged to every Minister having a majority in that House, had chosen—for it would be offensive to say packed into a Committee. He challenged the noble Lord to show him a precedent for any such course as had been adopted in the present case. It would be disorderly and inconsistent with the usages of Parliament that he should refer more particularly to anything that had passed in the Committee; but he was at liberty to indulge in conjecture. The resolution which advocated the imposition of a rate in aid to the amount of 6*d.* in the pound might be a mere mutilated and fractional portion of a scheme hereafter to be developed, but of which at present they knew nothing. It might be that they were neither considering the whole plan of the Minister, nor the whole report of the Committee, but some fragmentary particle of a scheme, of which nobody knew anything, and for which nobody was responsible. In fact, they were totally in the dark, and knew not what they were about. Why was it that some report from the Committee did not accompany the resolution? Was the decision unanimous? Did the whole twenty-six Members concur in it? Of that they had no positive information whatever, but they were left to infer that there might have been, and probably was, very great difference of opinion in the Committee. Perhaps the resolution had come down to them not as the unanimous opinion of the little knot of Gentlemen upstairs, but simply as the balance of their opinion. Perhaps it came to them with no graver authority than this, that after casting up the debit and credit accounts, it was found that there was a small balance in favour of it. He never had known an instance where a resolution came down from a Committee in a shape less calculated to inspire a conviction of its importance, or in a shape less calculated to insure for it a favourable reception. The first thing to be looked at was the inadequacy of a rate of 6*d.* in the pound to effect the object it was designed to accomplish. The whole property valued to the poor-rate in Ireland was about 13,330,000*l.* The sum to be realised from a 6*d.* rate, would not, if every union in the kingdom were solvent, exceed 325,000*l.*; but they must deduct the 6*d.* on the twenty-one unions now in a state of insolvency, and whose rating amounted to 1,323,000*l.*; they must also deduct the ten or eleven unions which were stated to be on the brink of bankruptcy, and could not be supposed able to meet a new tax; they must also make a large allowance for insolvent electoral divisions, and individual estates; and, with all these deductions, they would be fortunate if they realised 200,000*l.* It had been computed that the 50,000*l.* that was granted a few nights since would not last for much more than a fortnight; and if that calculation were correct, it would be no difficult matter to estimate in how very brief a period the sum now proposed to be raised would be consumed. They were about to introduce a system which was essentially vicious, and which would destroy that principle of local responsibility which was one of the primary elements of the poor-law system, in order to raise a sum of money so insignificant, that it could not be expected to do more than to carry them over a few months. The measure, moreover, tended to increase and widen the circle of destitution which it professed to relieve. This proposition for a rate in aid was liable to the same objection as that which attached to the grant of 50,000*l.*—namely, that it would tend to discourage industry. How would the unions heretofore solvent be able to endure this additional burden? A rate of 6*d.* might seem a very small matter, but when imposed in addition to the other heavy exactions which the solvent unions had been called upon to endure during the last twelve months, it would be sufficient to turn the scale, and to reduce those unions to the same state of bankruptcy as that in which the twenty-one insolvent unions were hopelessly engulphed. It would not tend to stimulate improvement, or to revive the paralysed industry of the country—it would be ruinous to that respectable class of occupying tenants who, having managed to stem the torrent heretofore, as well as they might, were now wavering as to whether they would adhere to their native country, or proceed to some other sphere where there was a better chance of their obtaining protection for their property and their toil. Ulster and Leinster had with difficulty managed in these trying times to keep their own heads above water; but they nevertheless would not object to make this effort on behalf of Connaught and Munster, if it could be demonstrated to them that any permanent or substantial advantage to those provinces would be the result. But it would be idle to expect any such effect, and it would be more likely to press upon the already wavering the necessity of flight to America. So long as the poor-law was left in its present state, any money lavished by way of relief was thrown away. It would merely feed the disease, without mitigating the sufferings of the patient. The vote of 10,000,000*l.* last year had had precisely that effect; and so would the grant of 50,000*l.* and this 200,000*l.* It was reported that a noble Marquess in another place, who was not distinguished for always interpreting with critical accuracy the opinions of his Colleagues, had at all events stated his own with preciseness, when he declared that the rate in aid was intended as a mere temporary expedient, which it would be impossible to make permanent. He gave the noble Marquess the fullest credit for sincerity; but he begged leave to say he differed from him most emphatically. If imposed at all, it would be a permanent charge. He was satisfied that if the House should now sanction a sixpenny rate, the Session would not terminate without a proposition being made to augment it to a shilling. It was not true, as had been objected against him, that he attributed to the poor-law evils which were the unavoidable results of the loss of the potato crop. There could be no doubt that that was a dreadful affliction, and that much of the distress and destitution prevailing in the south and west of Ireland was to be attributed to it; but it was not because of the failure of the potato crop that whole tracts of country lay desolate, that industry was paralysed, and that the farmer was reluctant to plant oats, or barley, or wheat. All that was the consequence of the poor-rates, and of that dreadful pressure of taxation which exhausted the country and ruined its energies, laying the country waste as with the blast of the simoom. The consequence of this was, that the entire employment in these districts would necessarily be suspended. No man would venture to work himself, or to employ labour—no man would dare to put his hand in his pocket and withdraw his capital, because he knew he had no security for the fruits of his industry. Would it be possible to succeed amid a state of things where all the rights of property were abrogated and destroyed? He did mean to say that this system would only lead to a transference of property from one hand to another. It was a revolutionary proceeding to take a man's estate from him and give it to another man; but this system would not only take the estate, but it would destroy the very existence and principle of property in those districts. He really thought that the hon. Member for Stroud had not adopted a very illogical conclusion when he proposed to employ all the destitute people of those unions at the expense of the Government. It was a necessary step in these proceedings to do something of the kind. It led to an attempt to realise the wild theories of Proudhon, and Louis Blanc. If they destroyed the rights of property, the next step in this insane course must be the attempt to cultivate the land on the part of the Government—the impracticability of which needed no proof. The hon. Gentleman the Member for Stroud appeared disposed to echo a cry which had gone forth from the public prints, and had done infinite harm, to the effect, that the entire body of landed proprietors were answerable for all the distresses of Ireland. This clamour was, he thought, most unfounded and unreasonable. The hon. Member for Stroud was always saying, "The Irish proprietors don't do their duty, and all the calamities of the country are owing to their neglect. They are so obstinate and perverse that they will not employ the people." The hon. Gentleman appeared to think the Irish proprietors were seized with a dogged determination to destroy their property—a kind of suicidal resolve not to invest capital for their own benefit. It was constantly said that they locked up their capital, and refused to employ the people. These statements were reiterated over and over again in a kind of cuckoo note, that went from mouth to mouth; but it was to him astonishing that persons could not see the plain fact, that proprietors of land in no country, and under no circumstances, could possibly be the principal employers of labour in a district. It was always the occupier who was the employer of labour, and not the landlord. Whenever the landlord employed labour, it was in the capacity of a farmer; but to suppose that landlords could employ all the labour in the district, was to exhibit complete ignorance of the proper relations of the landlord and the occupier of the soil. There was no more worthy successor of Coke of Norfolk or of Lord Spencer than the brother of the noble Lord at the head of the Government—the Duke of Bedford; but if the noble Lord inquired of the Duke of Bedford what would be the result of his endeavouring to become the chief employer of labour on his estates, he would tell him that, indeed, in his model farm at Woburn, he employed a certain amount of labour, and probably with little pecuniary profit; but that if he were to extend that system, and endeavour to become an employer of labour on a great scale throughout his estates, that, large as those estates were, he would be bankrupt in six months. It was a complete fallacy to say that this policy would have the effect of making Ireland support its own poor; for the greater the number of paupers made by this law, the greater would be the number of paupers to be supported. He was sure the hon. Gentleman could not deny that, in proportion to the destitution, misery, and pauperism produced by this law in the south of Ireland, would be the proportion of paupers likely to come over to this country for relief. Whilst he entertained those opinions with respect to the operation of this law, he was bound not to conceal the hopes he entertained, that if different measures were adopted, the results might be of a very opposite character. It might, perhaps, be the safer course for an individual Member to content himself with criticising, and refrain from offering suggestions; but taking, as he did, a deep interest in the condition of Ireland, and believing, as he did, how very serious, though not desperate, her present position was, he could not concea from the House his hope that a sounder line of policy might yet regenerate that country, restore prosperity, and animate the springs of industry. The Government appeared disposed to think they could remove the destitution that existed by this paltry, small, partial, and inadequate expenditure. It was said it was necessary to give those doles in order to prevent the people from dying of starvation; but would it effect that object? Were there no other causes by which life was lost? Were there not disease and fever produced by want? Did they not know there were numbers whose lives could not be preserved by the means which were about to be adopted, and who were hourly prematurely swept away? It was not by these wretched doles of three farthings a day that they could prevent all this misery, and rescue life from the dangers of this state of destitution. They must revive prosperity in that country, and stimulate a better state of things. The first way to promote these desirable ends would be to restore the active use and rights of property, to give security to the possessors of property, and to do so by limiting the action of the poor-law in certain districts. If they did not do this, they would do nothing. In order to do so they must reduce the area of taxation, which would give at once employment, because it would give security for reaping the fruits of that employment. This was the first necessary step to be taken; and the next powerful subsidiary mode of relieving a great amount of wretchedness would be to encourage emigration in those districts burdened with a superabundant population. If these means were adopted, and if the Government would really consider the practical evils with which they had to contend, and devise some general and comprehensive policy, he was convinced many Irish Members would consent to some system of local taxation to facilitate the transition. If Her Majesty's Ministers would come forward with a full and comprehensive plan, such as he had shadowed forth, he was sure that a majority of the Irish Members would not be indisposed to give such a plan their most serious and favourable consideration. [" Hear, hear!" *and cries of* " Divide !"] If hon. Gentlemen thought he did not intend to divide, they were very much mistaken, for he was resolved to give them an opportunity of recording their votes on the principle involved in this question. Before he concluded, he wished it to be understood that, in dividing the House, he adopted that course because he considered it was the most desirable mode of objecting to the principle of this particular rate, which he considered to be in principle the most objectionable and ineffectual. He wished to take the sense of the House upon the question of the principle of this particular rate—not upon the principle of a rate in aid, or upon the question of national taxation for local purposes—but upon the single question that this rate as it stood—without any accompanying plan—was incomplete, insufficient, and thoroughly ineffective in principle.

MR. NAPIER rose and said, he did expect, upon this important occasion—when a question so vital to the interests of Ireland was discussed—a question so vital to the interests of the empire at large—that some Member of Her Majesty's Government would have stood forward and stated to the House the grounds upon which they asked them to go into Committee to impose a rate in aid upon Ireland; a proceeding which would tend, in a great degree, to alienate the affections of the people of Ireland. Her Majesty's Government had considered the state of Ireland for years, and they had repeatedly given the country to understand that a large and comprehensive policy was in course of preparation. Was this the comprehensive policy—were these the statesmanlike measures they were led to hope for? And had it now come to pass, at this stage of the proceedings, that they called upon the House to confirm the honest, just, and upright principle, that, for the poverty of Connaught, an auxiliary fund was to be raised from the other provinces to make up the deficiency in these insolvent unions? And did they call upon the British Parliament to tax the industry, the honesty, and the virtue of localities which had no more to do with Connaught —[*Cries of* " Oh, oh ! "]—he repeated, had no more to do with Connaught than had any of the counties which were represented by the hon. Members around him? He reiterated emphatically, that no British Gentleman, uninfluenced by party feelings, could ever, upon calm reflection, assent to such a proposition. He had never come before the House as a mendicant for Ireland, for the part of the country with which he was connected had never asked for aid. He admitted that certain portions of Ireland asked for assistance, and had received from the generosity of England aid worthy of a great nation. That he had never denied; but he felt, with regard to this particular question, that it was premature to ask the House to come to a conclusion as to the expediency of authorising the raising of an auxiliary fund, before it was demonstrated how far such a proceeding would tend to remedy the evils for the relief of which the money was to be applied. Let the Government show what modifications they were prepared to make in the poor-law. This was not a question on which they should come unprepared. He never wished to impose an undue task on a Government; but it could not be denied that they had had ample time for the consideration of this question, and that they had had full opportunity to mature the measures which they might deem judicious. As, however, her Majesty's Government had not adopted that course, the House was bound to believe that they had no modification of the poor-law to submit—no alteration connected with its administration—and, in fact, nothing to propose to the Legislature in conjunction with which the House had to vote the required rate in aid. Mark the peculiar injustice of that rate. If Her Majesty's Government had imposed a tax on mortgagees, or upon annuitants, or upon incomes, their policy would have been at least intelligible; but they selected the land of Ireland, that peculiar description of property which had suffered from various causes and combinations of causes more than any other. He did not wish to go into an analysis of those causes, but he had a right to say, that with respect to the north of Ireland, now proposed to be taxed, it had not contributed to the poverty of Connaught. The people of that part of Ireland rightly thought there were causes for those evils. They thought that the policy of that House—he did not speak of the policy of any particular Government—but that the policy of successive Governments for many years—had not been such as to remedy the social evils of Ireland. They compared the condition of Ulster and Connaught, and they looked to ascertain the cause of the great discrepancy. They were naturally led to inquire why Ulster had required no assistance, and they asked how it was that by her industry she contrived to maintain her position, even in the worst seasons? Then, should not a wise Minister have endeavoured, by fair agency and by proper influences, rather to have elevated Connaught to the level of Ulster, than by this paltry and unjust measure to have dragged down Ulster to the level of Connaught? The policy about to be pursued towards Ireland reminded him of a remark made by a distinguished relative of his, Sir C. Napier, who, speaking of Mehemet Ali, described him as incapable of any great work for the regeneration of his people. He did not leave them the means of subsistence; for in dealing with the cases of A and B, two districts that were subject to the same rent, if by any misfortunes—short crops, or any other calamity—the rent of B could not be paid, then the Pacha imposed a rate on A, which reduced it too to destitution—and this had the effect of ruining them both. He could not help thinking that there was a most remarkable similarity between the cases. He could not help feeling very strongly for the position in which the people of Ulster were placed. He did not like to indulge in any irritating topics, for the present circumstances of Ireland ought to be calmly and dispassionately considered. The House had as much interest in the prosperity of Ireland as he had; and if there was one person in that House who, more than another, desired the prosperity and welfare of England, it was himself. If they would refer to the reports of the northern unions, they would find that even there, in the union of Lurgan for instance, the pressure of the poor-law was most severely felt by the farmers. In that union they were driven to very great privation and distress to raise the amount of poor-rates. Yet, while the noble Lord allowed a man having a personal income to escape, he imposed the burdens on this class of men. But the noble Lord could not trifle with the people of England in that respect. They told him—"You are demoralising the people by the aid you contribute—you are doing no good—you are throwing this money away—you are only stereotyping the poverty of Ireland." The noble Lord's plan had nothing statesmanlike in it. There was nothing like justice in it; nor did it shadow forth anything like a definite line of policy with regard to the poor-law—a law which affected the whole social condition of Ireland, its present state and future prospects. No man would deny that the poor-law had had the effect of producing a state of demoralisation in Ireland wholly unparalleled in the previous history of that country. No man would deny that those consequences had been predicted some years ago by persons connected with Ireland. The poor-law was, however, forced on the people of Ireland, notwithstanding those predictions. A large portion of the people who were then unemployed were by the poor-law thrown as a burden on the industrious; and when the famine struck the land and took away the food of the people, the whole country was reduced to a condition of which English Members could have no conception. But to what causes were to be attributed the evils that now existed in Ireland? They were to be attributed, first of all, to years of long neglect and previous misgovernment—to the want of means of employment of the people; and, he admitted, to a breach of duty on the part of some persons in that country; but then there was one class of men in Ireland who were willing to perform their duties, and for that class they should manifest a generous consideration. They should not mix up the innocent and guilty together. It was upon that class the fate of Ireland depended; they were struggling in various districts to sustain the country, and they deserved the consideration and assistance of Parliament; they deserved to be encouraged in the performance of their duties, and fenced round by wise measures. But instead of that, the Government wanted to tie the good and the undeserving together, and drag them both down to the common level of degradation and destitution. That was not governing Ireland, but trifling with the interests of the people. It was insulting and degrading his country for the head of the Government to make a proposition like the present, and not explain the grounds of that proposition. Why ask the people of Ulster to bear the burden connected with the poverty of other districts, especially as the Government were not in a position to show how that poverty was to be relieved? How were the insolvent districts to be made able to support themselves? Was it by keeping up an army of beggars fed out of the industry of Ulster? An accurate countryman of his (Mr. Napier's) said the measures of England with respect to Ireland were of two classes—one had the effect of producing an uneducated and unemployed population, and the other made indolence fatten on industry. The House were asked to begin with a *6d.* rate. He thought it would be better, if they were about to confiscate property, to show more of the boldness of the burglar than the meanness of the pickpocket. Why not come forward at once with some statesmanlike view respecting the poor-law? Why not propose some modifications that would adapt it to the present condition of Ireland, and correct its maladministration? If the noble Lord had done anything of that sort, then there would be some reason in his saying—

> "The present is a great emergency, and it is necessary to have some assistance to keep the people of Ireland from starving; but, considering the condition of England, the pressure on the agricultural districts, and our own financial embarrassments, we are not in a position to ask England to bear the burden."

But, without bringing forward any great remedial measure, it was most unreasonable to tax the landed property of Ireland; and if there was any one property more than another that ought to be excluded from such an impost, it was that very property which had been selected to be victimised by this tax. He contended that the proposed rate in aid would alienate the affections of the people of Ireland from this country. They would not contentedly suffer themselves to be weighed down by such a pressure. They could not discover any principle of justice upon which that burden was to be imposed. He would again ask what that principle was, and why the Government were ashamed to put it forward? Did they ask the House to vote for the proposition, without informing them of the grounds or reasons on which it was brought forward? The people upon whom that burden was to be placed, thought it an unfair imposition. They were people who never shirked any fair liability; but they could not see what connexion they had with Connaught, more than with Yorkshire or any county in England. Was the tenant-farmer in Ulster, who occasionally wrought at the loom to support his family, to contribute to the relief of the poverty of those in Connaught? Was he to bear the penalty of the absence of those moral influences that spring from true religion? Was he to be answerable for the lawlessness of the people of Connaught; or the disrespect for, or maladministration of, the laws, in that part of the country? There should be some principle of justice to support the Government proposition; but there was evidently none. The tendency of the Ulster people was ever towards this country: they were always the stern friends of British connexion—they were always anxious for a closer union with England, and ready to stand by it as their common country—and they were undeserving of such injustice. In the absence of any reason to sustain the Government proposition, he should oppose that proposition to the utmost of his power, be the consequences what they might.

Sir G. GREY: Sir, the two hon. Gentlemen who have opposed the Motion that you, Sir, should now leave the chair, appear to me to have adopted a most extraordinary course. About two hours ago, when the hon. Gentleman the Member for Rochdale (Mr. Sharman Crawford) moved a resolution as an Amendment to the Motion of my noble Friend the noble Lord opposite (Viscount Castlereagh) and other Irish Members appeared to be sensible of its inconvenience, and upon rational grounds they deprecated any consumption of the time of the House in discussing an abstract proposition; they even grudged the time that would be occupied in dividing the House, because they were anxious that my noble Friend should avail himself of the only opportunity which the forms of the House allowed to him, to move the resolutions of which he had given notice—which resolutions, be it observed, cannot be moved until Mr. Speaker has left the chair—and of stating the motives and the grounds upon which they are framed. No sooner, however, was my noble Friend prepared to state those motives and grounds, than up gets the hon. Baronet the Member for Radnorshire, and for the first ten minutes of his speech he dilated upon the contrast between the despatch of business in the present Session, and the despatch of business in the last Session—showing, I am bound to say, a decided preference for that system of repeated adjournments which then prevailed, over the system of comparatively short speeches which has prevailed in this Session. The hon. Baronet said he thought it necessary not to mention any facts; and accordingly he drew largely upon his imagination for the purpose of occupying the time of the House for fifty long minutes, and in order to prevent my noble Friend from making his proposition, or stating the grounds of it. Then came the hon. and learned Gentleman the Member for the University of Dublin, whom I excuse because I really believe he was not aware of what he was doing; and, in indignant language, he reproached my noble Friend for making a proposition which he has not made, and which he knew my noble Friend could not make until after Mr. Speaker had left the chair. He said my noble Friend asked the House to agree to a rate in aid on Ulster, without stating any reasons for it; but the hon. and learned Gentleman said he was prepared to consent to any rational proposal for levying the money all over Ireland. He ought then to have known it was only in Committee, and not before, that it would be competent for him to show his sincerity by moving an Amendment upon the proposition that a rate should be so levied. I rose, however, merely to deprecate the continuance of this preliminary discussion, which can only have the effect that the hon. Baronet the Member for Radnorshire stated he preferred—namely, of protracting our debates, of preventing the despatch of business, and of stopping my noble Friend from laying before the House his proposition on the part of the Government, without, let me observe, the power of substituting any other proposition on the part of the hon. Baronet, or of the Government, and at a time when there is an immediate and urgent necessity for making provision for the prevention of starvation among the distressed inhabitants of the western unions.

Mr. DISRAELI: Sir, there seems to be some misconception on the part of the right hon. Baronet, as to the manner in which the business of the House should be conducted on this occasion. Certainly there was a resolution on the Paper, moved by the hon. Member for Rochdale, against which I and many other Gentlemen on this side of the House thought it our duty to vote. I will recall it to the recollection of the House. It invited us to declare "that it is unconstitutional and unjust to impose on Ireland separate national taxation for the wants of particular localities, so long as the public general revenue of Ireland is paid into an imperial treasury, and placed at the disposal of an Imperial Legislature for the general purposes of the united kingdom." Now, Sir, I, for one, could not assent to this proposition of the hon. Member for Rochdale. If the financial system of the two countries had been identical—if there were a fiscal, as there is a political, union between the two countries, I, for one, should have voted in the same lobby as the hon. Member for Rochdale; but, remembering that the systems of taxation in England and Ireland are different—remembering that Her Majesty's subjects in Ireland are not liable to the window tax, to the other assessed taxes, and to the property tax, I thought that the proposition which the hon. Gentleman called upon us to affirm was one that we could not support—that we could not affirm—that it was unconstitutional and unjust to impose on Ireland separate national taxation from the taxation which is imposed in England; and here, perhaps, I may venture to observe, that I can scarcely approve of those tactics which are sometimes adopted by the Members for Ireland in this House on fiscal subjects, always insisting that there shall be a difference between the two countries; while on political subjects they are always ready to affirm that the two countries are identical. But the other proposition before us was a proposition of the Government that we should go into Committee—in fact, to sanction the scheme of the Government. Well, Sir, I was equally opposed to the proposition of the Government, as I was opposed to the proposition of the hon. Member for Rochdale; and is it not evident, in consequence of the new regulations for the despatch of public business, that after the Motion of the hon. Member for Rochdale was disposed of, it was totally impossible to oppose the scheme of the Government, except by moving a direct negative to your leaving the chair. The right hon. Gentleman, in a tone of great indignation, says, is it not known to all of you—to every Member of this House—that you are opposing the only means by which the Minister can explain the policy which he is about to recommend to your notice? I do not agree with the right hon. Gentleman. The noble Lord at the head of the Government might have risen immediately the question was moved, and might have detailed the reasons which induced him to propose to the House to adopt this resolution. It would not have been an unusual course; it would have been a usual course; it would have been a respectful course. His right hon. Colleague (Mr. Labouchere) last year entered into a preliminary exposition of the policy of the Government on the subject of the navigation laws, and the necessity was not so strong as the present; because, in that case, the right hon. Gentleman had not placed his resolution on the table of the House. We were not in possession of the policy of the Government, and it was out of our power to enter into a preliminary discussion; but the Government having in the present instance placed their policy on the table of the House, nothing could be more legitimate than for the noble Lord himself to have risen, and entered into a general detail of the reasons which induced him to adopt that policy; and, as he refused to take that step, nothing could be more legitimate than for the hon. Member for Radnorshire to adopt the course which he has properly taken. Sir, I should say, that, under any circumstances, that ought to have been the course of the noble Lord. But are there not peculiar circumstances in the present case, which tend to excite the suspicions of hon. Gentlemen, to stimulate criticism, and to prompt the earliest, and every lawful opportunity to canvass the policy of the Government? Have we evidence before us that their policy is one so mature, so well digested, founded on such ample information, and supported by previous investigation, so that we are to be in a haste and hurry to carry it into a legislative form? I say, the circumstances under which this resolution has been placed on the table of the House, are very remarkable? In another place these resolutions have also appeared; and at the request and intimation of the leading Minister of the Crown in that place, they have proceeded to establish a Committee to receive evidence in support of these resolutions. What is the use, then, of being in such a hurry to send up our sanction of these resolutions, when in another place there will be abundant opportunities for examining whether there are sufficient reasons to adopt them? I take it for granted that in that place they will pursue their affairs in a business-like manner, satisfactory to the country. I take it for granted that there, at least, before they adopt a resolution like this, they will be sure there is a good foundation for the step which they recommend to the adoption of the House; that they will, at least, form some estimate of the funds that may accrue from this proposition; that they will at least have some idea of the manner in which those funds are to be expended; that they will take care that before they come forward to propose a rate in aid in the north of Ireland, there is a sound, substantial, and comprehensive valuation upon which to levy it. These all are circumstances and considerations that no doubt will accrue to those who, in another place, are considering this question; and, depend upon it, if they enter into this investigation, it will be some time before they arrive at a conclusion; and therefore there is no reason why the House of Commons should be in such a state of precipitation to pass a resolution so unprecedented in its character, and which, in its effects, may be so enormous. I, for one, must take this opportunity of protesting against the conclusion that, because I am opposed to this proposition of the Government with respect to the rate in aid, I am opposed to a satisfactory system which may offer auxiliary assistance to Ireland. I say again, as I said at first, that it was the duty of the Government, with respect to the Irish poor-law, to have met Parliament with a comprehensive measure. I remember that the Chancellor of the Exchequer told us, in order to support the vote of 50,000*l.*, that twelve months ago, if there had not been aid to the district, so destructive a scene of a starvation and misery would have accrued that the imagination could scarcely conceive it. That was twelve months ago; and I want to know, if the present policy is pursued, what will be their condition twelve months hence? Then I say that the Government ought to have come forward with a measure which would have settled the question of the area of taxation, of the arrears of rates, and of the lands lying waste; that if they had come forward with a business-like and well-digested measure on these subjects, then they would have found no difficulty in obtaining the sanction of all parties in this House to measures of a temporary character; and mainly for this reason, because, under such circumstances, propositions of pecuniary aid might have been of a temporary character; but under the circumstances under which they are now brought forward, I want to know who can maintain they are of a temporary character, when no human being can foresee that the circumstances to which they are applied can ever change? These are my views generally on the question. I think this a proper opportunity for a full and ample discussion of it. I have risen myself unexpectedly, after the appeal to the House of the right hon. Baronet the Secretary of State. I protest against the spirit of that appeal. I say that if you yield to such an appeal, especially with the regulations we have lately introduced, as to the conduct of the business in this House, you may stifle public discussion; and when a Government, on an important subject—I will not say have trifled with the House, but rather have trifled with their own reputations, so much as the present have in the policy which they recommend to Ireland—when, not for forty-eight consecutive hours you can be sure of the policy they will come here to recommend, I cannot recommend my hon. Friend not to divide the House, but rather I will express my hope that hon. Gentlemen on both sides will take this opportunity of expressing their opinions on this important subject.

Lord J. RUSSELL: I own, Sir, I regret that the hon. Gentleman who has just sat down should think a case of this kind, affecting the existence of a great portion of the people, is a matter of party warfare. The hon. Gentleman must know full well that when a general rate is to be proposed, the manner and time of proposing it is in the Committee of the whole House: that the forms and regulations of this House do not allow any proposition to be proposed in the House; that if I now were to propose the resolution which I have put on the notice paper, I should be immediately stopped by Mr. Speaker, and told that it was incompetent for me to propose it; and then he (Mr. Disraeli) must know, as I could not propose it in the House, it was but natural that I should wish to accompany the proposition with the reasons which I thought necessary. Had I been unable to do so, it was competent for the hon. and learned Member for the University of Dublin, or any other hon. Gentleman, to have shown that the principle was vicious, or that the measure would produce such mischief that the House ought not to adopt it. That would have been a fair course to take with respect to the proposition; but the hon. Member for Buckinghamshire interposes in this stage to say that he will not go into Committee, and he does it on the ground that that delay is required, that long deliberation is necessary. He talks of our trifling with our reputations; I must say that he is trifling with the welfare of the community, and also with the existence of many of our fellow-subjects in Ireland. Sir, what do the papers in the House tell you with regard to some few of these unions? With regard to Scariff, that the most rigid scrutiny into circumstances, if necessary, was made, and not an applicant was relieved whose claim was not irresistible—who was not really destitute—whilst the workhouse test was applied to check imposition; that the want was such, that the people were mere skeletons of men. In another union, Swineford, it was said that the union was distressed in the extreme; that the small landlords were becoming exhausted, and applying in England and Scotland, and elsewhere, for work, and leaving their wives and children to starvation; that fever was prevalent, and the destitution of the people was utterly indescribable. It is in such circumstances as these that the hon. Member for Buckinghamshire calls for delay—that he calls upon us to go minutely into every question connected with the administration of the poor-law in Ireland—and to investigate every nicety of area and of valuation before we apply a temporary remedy to a temporary but most appalling distress. The hon. and learned Member for the University of Dublin chooses to say that I have brought forward this resolution as a single measure, unaccompanied by any general proposition for the amendment of the poor-law. But the hon. and learned Member must know full well that in the Irish Poor Law Committee I stated several propositions which I thought it would be the duty of Government to submit to Parliament; and if I were permitted to go into Committee, I should be prepared generally to state the nature of those propositions. Therefore I think it was not very candid in the hon. and learned Member, after having himself heard some of them discussed in Committee, to come down to the House and say that this was the single proposition of the Government. But, Sir, the hon. and learned Member goes on to say—and this is a tone which I hear has been taken by persons of weight and authority—that unless we lay before the House, and settle, in conjunction with Parliament, a plan with regard to the area of taxation, it will be impossible to agree to any rate in aid. Now, what we have done is this: we have appointed a Commission, consisting of persons highly competent to the task; but, although they have given many months to the labour, they have not as yet got beyond a proposition for several additional unions and electoral divisions for those unions. They propose a scheme for diminishing the area of taxation, so that persons liable to the tax may be able to reach and communicate with each other in the working of the union, but they have not thought proper to say that every small property shall form a separate area of taxation. If it be meant, then, that unless we agree that every small property shall form an area of taxation, these Gentlemen will not consider the proposition of a rate in aid, I must say that it is not at all likely we shall be able to submit that proposition. I have a letter in my pocket from a gentleman who was some time since employed by the Poor Law Commission, but who is not at present so employed—one in whose ability and experience we have great confidence, and that gentleman says—

> "While it is desirable to diminish the area of taxation, yet, if every property were made a separate area, you would see evictions greatly increased, and that no distress which has yet been witnessed in Ireland would be equal to the misery that must ensue if that plan of area were adopted."

[Mr. Osborne: Is that letter from Mr. Senior?] No, it is not from Mr. Senior. The hon. Baronet the Member for Radnorshire has signified, although not very clearly, the plan that he would propose, and coupled with it another proposal for emigration. I do not think it proper to adopt the proposal of the hon. Baronet. I think that if you were to make your whole plan consistent with his two propositions, reducing the area to the property of each individual landlord, so that he would have it in his power, by driving away every small tenant to clear himself from obligation to pay rates, while at the same time you adopted a large scheme of emigration, you would, in the first instance, create great misery in Ireland, and, secondly, you would be the means of driving thousands of the unfortunate people to a distant shore without any provision being made for their reception or subsistence. Therefore being ready as I should be to propose the resolution in Committee, and to explain the general alterations I contemplate in the poor-law, I must add that they would not agree with the plan of the hon. Baronet, which, in my opinion, would have only the effect of greatly increasing the amount of misery at present unhappily prevailing in Ireland.

Mr. H. A. HERBERT complained that the noble Lord at the head of the Government should have accused the hon. Gentleman who preceded him of party motives. He (Mr. Herbert) had himself been returned for the county he represented without a contest; he came into Parliament determined not to act for party objects, but to support the Government as much as he could; but he had come to the conclusion that the existence of property in Ireland, the existence of the class to which he belonged, was incompatible with the existence of Her Majesty's Ministers. He had as often as any Member on the other side of the House, given an honest and independent vote to them; had they shown any disposition to do justice to Ireland—he used the expression advisedly, and not in its vulgar sense—he believed he might have ranked as one of their supporters, excepting that he was determined never to ask from them any patronage or favour. The noble Lord thought it odd that Members from Ireland should complain of the present area; but let him look to the opinions that had been expressed by the boards of guardians throughout the country. That of the Listowel union, in the county he had the honour to represent, had declared that if the evil effects of the poor-law were not averted or mitigated speedily, they considered the general ruin of landed proprietors an inevitable consequence. He would take the liberty of reading to the House the memorial to which he referred, addressed to the Poor Law Commissioners of Ireland:—

> "Showeth—That after several years' experience of the working of 'The Act for the Relief of the Destitute Poor in Ireland,' and recently that of 'The Relief Extension Act,' this board feel that they are now in a position to form a sound judgment of the working of both laws. That we are fully impressed with the paramount importance and necessity for co-operation of all classes, from the highest to the lowest, to avert the imminent danger which we consider pending over all, which, if not averted or mitigated speedily, we consider the ruin of property, and, as consequent, all dependent thereon for support, inevitable. That we consider employment on an extended scale the one sure, only, and effectual source of relief under the existing state of things in this union, to effect which we consider it alike the duty of all classes to seek to accomplish by every means within their reach, and that it becomes a matter of the first importance to consider how so desirable an object is most likely to be effected. That we consider the first step necessary to be taken, without which all attempts to amend the existing state of things must prove a failure, is the reduction of the pre-

sent cumbrous areas of taxation, which this board considers to be the chief cause which has led to the disastrous condition in which this union is at present sunk, and which must ere long, if persevered in, lead to the destruction of all property. That the commissioners have the power, which we earnestly call upon them to exercise, under the 18th Sec. of 1 and 2 Vict., cap. 56, to mitigate largely, although not altogether to remove without further Parliamentary enactment, the serious difficulties under which this union is now labouring, by decreasing the present extent of the electoral divisions for the purposes of the poor-law."

The average area and value of Irish electoral divisions, as compared with English parishes, would be illustrated by the following statement:—Average value of electoral divisions, in Listowel, 4,645*l.*, average size 9,964 acres; Killarney 7,152*l.*, 20,807 acres; Tralee, 8,514*l.*, 25,595 acres. In the counties of Berks, Bucks, Dorset, Oxford, Gloucester, and Wilts, the average area was 2,049 acres; the value 3,538. The Poor Law Commissioners might allege that they had not sufficient machinery, but if they had not it was their duty to apply to Parliament for additional force. Now, when property was passing away from the landlords of Ireland, the noble Lord told them that he had appointed a Commission. But what had that Commission done? They had gone to the north of Ireland, and after a most elaborate report, they told the House that nothing was required to be done; there was no improvement wanted there. No, for they examined the place from which no complaints were made, whilst there had been constant complaints from the south about those areas of taxation. Why had they not gone to the south? He asked the House of Commons, in fairness, in justice, to say why, if Ireland was to have the English poor-law, was she not to have also the English areas of taxation? He hoped there was justice enough in the House to save the Irish nation from what he should call a most unendurable tyranny on the part of the Government. They had heard a good deal from other quarters about the dictatorship of the present Lord Lieutenant of Ireland; but they suffered under a much worse dictatorship from the triumvirate which had trifled with both the lives and properties of the people of Ireland. The noble Lord should not make such use of the appeal *ad misericordiam*. He had no right to call upon the House to commit such robbery, upon the plea of the excessive poverty of certain portions of the country. He (Mr. Herbert) had never been an opponent of the poor-law, but he had endeavoured to induce the Poor Law Commissioners to make certain improvements in the mode of working the law, which they could do if they chose under the Act. He had only now to say, if something more were not done than thus to try merely to prop up a vicious system, he, for his own part, would return to the task imposed upon him by the noble Lord, for he would not shrink from it; but it would be with the calmness of despair, not with the energy of hope. Instead of a sound measure to relieve the pauperism of the country, the Government, by their legislation, were about to render the performance of the duties of property intolerable and utterly impossible.

Sir H. W. BARRON entirely agreed with the sentiments of the hon. Member who had just sat down. They were in a similar situation in his neighbourhood, and had complained time after time relative to the areas of taxation. If the House imposed additional taxation upon the poor in his locality, who were already borne down by taxation, by low prices, the failure of crops, and the want of trade, they would only be adding to the deep distress which already existed. If they attempted to remedy the distress of Ireland by the imposition of additional taxation upon her people, so far from attempting to employ his poorer neighbours as he had hitherto done at a great expense, he would discharge every man at present in his employment; and he knew several gentlemen who would follow his example. He knew gentlemen who had already given notice to the Board of Works, from which they had been about to borrow money to improve their estates, that, in consequence of this additional taxation, they would not spend a shilling for that purpose; and he believed, before ten days elapsed, the House would hear of many such cases. The noble Lord at the head of the Government had stated that if they narrowed the areas of taxation, they would give rise to an extensive eviction of the people. Now, the remedy for that was tangible and practicable, as he had proposed in the Poor Law Bill of 1847, namely, to make such persons who came on the poor-rates within three years from their evictions, chargeable on the property from which they were evicted. He objected to this rate, not because, as had been said, it made Ulster chargeable for Connaught, but because it made Munster chargeable for Connaught — because it made Leinster chargeable for Connaught

—because it made one county chargeable for another. He wanted to know why Waterford should be chargeable for Mayo, any more than Middlesex should be chargeable for Mayo? He objected altogether to the principle of a rate in aid; and it was useless to tell the House or the country that it was only to be 6*d.* in the pound. That was the small end of the wedge, and if it were once got in, the rate would be doubled, trebled, quadrupled—not yearly, but every three or four months. It was a delusion to say that it would be only 6*d.* in the pound. Again, they were told it was only to be for two years. That was another point on which the Ministers were deluding the country, or were themselves deluded. In Waterford, Kilkenny, and other parts of the south of Ireland, nineteen out of twenty of those parties who were rated under 12*l.* had great difficulties in paying their rates. Hundreds of them had not paid, while others had pledged or sold their furniture and clothes to do so. Of the class above them, who were rated from 12*l.* to 25*l.*, a large number had had to sell their last four-footed animal to pay the rates, and a great portion had not paid one-half of them. They and the farmers who were rated above 30*l.* were selling off their stock and going to America, leaving their farms in the hands of some of their families, in order to force from the landlords money for their possession. He called upon the noble Lord to have the poor-rate collectors examined before the Committee, to see whether he had given the House an exaggerated picture of the state of things existing in the south of Ireland. The result of the passing of this Bill would be, that before twelve months had passed, there would be an addition to the twenty-one bankrupt unions already existing, of twenty or thirty more, and the name of the British Government and the British Legislature would be hated by the Irish people. He would call the attention of the House to the difference existing between the poor-law in England and in Ireland. In England there were 66,000,000*l.* of rateable property, and only 1,100,000 paupers; but, in Ireland, there were 2,500,000 paupers, and only 13,000,000*l.* of rateable property. Thus they had one pauper for every 5*l.* and a fraction of rateable property in Ireland, while they had 60*l.* allocated for the support of each pauper in England; and the result was, that they were obliged to look out for other than landed property to support the people. What was an excellent law in England was bad in Ireland; and feeling that this rate in aid would be most disastrous to that country, he must oppose it.

Viscount CASTLEREAGH, being connected with the north of Ireland, which was most materially affected by the proposed law, wished to express his opinion upon it before a decision was come to. He regretted the tone the debate had taken—because by some arrangement or misarrangement of which he was not cognisant, the noble Lord (Lord J. Russell) had been prevented making his statement, which caused great embarrassment to Members who, like himself, wished to oppose the Bill. In the first place, he altogether objected to the formation of the Committee, which consisted of nine English Members, five from Leinster, five from Munster, five from Connaught, and one—but how he got there it was hard to say—from Scotland. Only two Members from Ulster were nominated. The Committee was arranged so as to give a majority to the views of the Government; and he did not think the noble Lord would gain much by a borrowed light from such a Committee. The decision of that Committee would never give the noble Lord a *locus standi* in that House, or the confidence of the country. Indeed, from what had crept out in evidence before the Committee within these few hours, he felt sure that this rate in aid would never be carried into effect. The noble Lord had brought forward a measure which militated against the principles upon which the union of the two countries took place. It was the intention of those who advocated the Union, that the three countries should support each other, in weal or in woe, by national, not individual, resources. He would read to the House an extract of a letter written to Lord Longueville by the late Marquess of Londonderry, which clearly showed what were the intentions of those who devised the union between the two countries. The letter was dated Phœnix Park, 1798:—

> "I would desire very much to have a conversation with your Lordship upon the means of strengthening by legislative union the connexion between the two countries; a union which would pledge the whole force of the empire to the security of every part, and which would make that support which we now receive as an act of favour an act of justice as well as duty on the part of Government."

These were the intentions of the promoters of the union between the two countries.

It might be true, that the people of England complained of the assistance they were so frequently called upon to give in relieving the distress of Ireland. They had a right to feel, and they did feel, that their industry, labour, and exertions, had been unduly taxed for the support of Ireland. If this complaint was true—and he did not deny its validity—there was no other course open but to endeavour to assimilate the taxation of the two countries. He was not prepared, nor was it incumbent upon him, nor the Irish Members, to point out a substitute. It was the business of the Government to bring forward their measures; and for the House to pass judgment upon them. The people of Ireland were willing to submit to taxation for imperial purposes; but they, in return, desired to be included in imperial responsibility. The Government had not considered what would be the cost of the collection of this rate. Its collection would be a matter of difficulty, even in the quietest part of Ireland. But should times come round again like those which they had witnessed last year, they would not be able to leave the country wholly unprovided with military or police, as they had done, leaving the maintenance of the peace solely to the loyalty of the country. The people would become alienated in their affections, jealous, and suspicious. The inhabitants of Ulster were brave, and loyal, and true, and staunch adherents of British connexion; but if this measure was passed, he would not give one month's purchase for their tranquillity. They would not burst out into an outbreak, but they would resist the levying of the rate by every possible constitutional means in their power. He would conclude in the words of Mr. Martin, who had written a pamphlet upon the poor-law, and which was much more eloquent than any language of his own:—

> "Let it not be supposed that the great body of the gentry of this country are desirous to absolve themselves of the sacred claims of providing for the maintenance of the poor. Those poor and mean calumnies, that we wish to starve the people, should only be treated with contempt. We value too highly the character of Britons to forget the duties which are imposed upon us."

Mr. PRYSE PRYSE rose to complain that although England, Ireland, and Scotland were represented in the proposed Committee, Wales was excluded.

Mr. J. O'CONNELL complained that the present debate could have no practical result, and human life might be wasting away while they were talking. If hon. Members opposite, who thought they could legislate so much more for the advantage of Ireland, felt confidence in their strength, let them turn out the Ministry, and take their places; but, if not, he implored them in the name of common sense at least to allow the noble Lord at the head of the Gavernment to state what his plan was, and they would then have a right to reproach the Ministry if, by delay, they showed they were not in earnest.

Mr. CLEMENTS would have thought, though of course his experience was of no long date, that they had a right to expect a statement from the noble Lord before going into Committee, in accordance with former precedents. He might instance the case of the navigation lows, when the right hon. President of the Board of Trade made his statement before they went into Committee.

Colonel DUNNE said, he did not see the use of any statement from the noble Lord, as they had the proposition already before them, and knew what it was. He thought it must be evident that the Committee had been coerced into the proposition which they had submitted to the House, and he thought they could discuss it just as well as if the noble Lord had made a speech of an hour. [*Cries of* "No, no!"] Well, at least, they could resist it. With regard to other taxes, he was not prepared to say that Ireland would agree to their imposition. If a special case was made out for the exemption of Ireland last year, when the income tax was proposed, there was the same special case this year.

Mr. KER could assure the noble Lord at the head of the Ministry that in the part of Ireland with which he was connected, so strong was the feeling against the present proposition, that several gentlemen in the commission of the peace were determined to give up their commissions if it were carried.

Mr. GROGAN quite approved of the Motion of the hon. Baronet (Sir J. Walsh). He did not think that the people of Ireland could place any confidence in any resolution that the Government would come to with regard to the poor-laws. The hon. Gentleman referred to the proceedings that had taken place in the Committee, and complained that they had been under the control of the Government. Suppose the sixpenny rate in aid were levied and spent; what did the Government mean to do in the event of more being required? He thought they ought to be prepared with some proposition to meet that state of things. He entirely agreed in the Motion of the hon. Baronet, and hoped he would press it to a division.

MR. REYNOLDS said, he would not unnecessarily waste the time of the House, as his hon. Colleague had already spoken; but as he had paid the Committee of which he (Mr. Reynolds) had the honour to be a Member, a compliment, he trusted he should not be censured if he stood up to make him some return. With regard to the observations of the hon. and learned Member for Dublin University, it appeared that he represented the province of Ulster, if not in a Parliamentary sense, at least sympathetically. It would appear from him that if a sixpenny rate was imposed, it would shake the loyalty of these parties to the foundation. The noble Lord (Viscount Castlereagh) echoed that sentiment; and the hon. Member for Downpatrick (Mr. Ker) had threatened them with a wholesale resignation of the commission of the peace, and if that were so, it might be said that their loyalty was only sixpenny loyalty. From his earliest boyhood he had been told that the province of Ulster was an extremely religious province; and they had heard the hon. and learned Member for the University of Dublin this night say, that the prosperity of that province was the result of their superior religious education. He (Mr. Reynolds) had also been taught to believe that Ulster was still more remarkable for its loyalty. The Minister of the Crown now, in order to save 1,500,000 of the starving poor of Ireland, having proposed that a sixpenny rate in aid should be levied, the representatives of this very religious and loyal portion of the country threaten the Government with all kinds of misfortunes, if they persevere in their proposition. It appeared, then, that the loyalty of the people of Ulster was, after all, conditional loyalty. It was £ *s*. *d*. loyalty. It was a sixpenny loyalty. He protested, in the name of his constituents, against such a doctrine. He had the honour to represent a community, the united value of whose property was close upon 1,000,000*l*., nearly 1-13th of the entire rateable property of Ireland. If they assessed this rate in aid, they would be putting upon them an additional tax exceeding 20,000*l*. per annum. The highest rate upon any one rating there did not exceed 3*s*. in the pound; and out of 16 electoral divisions of which the city of Dublin was composed, 10 of them were only assessed at 6*d*. in the pound, 2 of them at 3*d*., 1 of them at 10*d*., and 1 at 5½*d*. in the pound; so that it was not likely they ever reach the maximum proposed, so as to entitle them to a portion of this rate in aid. He was no advocate for this rate in aid, but he voted for it in Committee, and he would vote for it here upon a certain understanding. He said, that the rate in aid ought not to be inflicted if it could be avoided. He, however, believed it could not be avoided. He was told by the Gentlemen occupying the Treasury benches that they would not be permitted to draw any longer upon the Consolidated Fund for the relief of Irish distress. He had been told by all parties in that House that the votes for Irish distress had reached their limit. He was further told that there were 21 unions of Ireland in a state of hopeless bankruptcy, and that in these unions there were several hundred thousand persons utterly destitute. He was also informed that the late vote for 50,000*l*. had been granted solely upon the understanding that they would not repeat the demand. Under those circumstances, he would support the present proposition; and he would ask the opponents of it whether they were prepared to incur the responsibility of allowing the people of Ireland to die of starvation in the midst of plenty, when he might say food was at a drug price? He also supported the proposition because he was ashamed at his country being perpetually taunted at being a mendicant at the door of this House. He was tired of these charges being brought against them. He believed that Ireland was fully capable of supporting her own pauperism, if she was fairly treated. The hon. Member for Buckinghamshire had stated that the two countries were politically united, but they were not fiscally united. He (Mr. Reynolds) thought that they were united in both senses. He recollected, that whenever the Irish representatives asked for a restoration to the country of her right to domestic legislation, they were told that Ireland was an integral part of the British empire, and that she consequently ought to be treated as Yorkshire, and to be called West Britain, as Scotland was called North Britain. But the moment they asked for money, then they were told that they were politically united, but fiscally separated; and he would advise the hon. Gentleman not to repeat such an assertion, for by doing so he might teach a lesson that might ultimately become troublesome to him. He (Mr. Reynolds) had said, that he would vote for this proposition upon a certain condition. That condition was, that all the property in Ireland, all the incomes derived from real property, should be made liable to this rate—that they should charge the funds, annuities, rent-charges, and jointures. He was reminded by an hon. Member that Ireland was not subject to the same imposts as England. Granted. They were not made liable to the window tax, or the assessed taxes, for this reason—the Government of this country had already tried it, and found that Ireland could not pay it. There was an old, vulgar saying, "You cannot take a knee-buckle off a Highlander." When the income tax was about to be imposed, Ireland was excused, first, on the ground of poverty; and the second reason, which was the most important was, the right hon. Baronet (Sir R. Peel) said, that he would assimilate the stamp duties, as an equivalent for the non-extension of the income tax to Ireland. There was another item which they had not given Ireland credit for. England received close upon 9,000,000*l.* per annum. arising from absentee rents and interest on mortgages held by persons resident in this country. Now, this 9,000,000*l.* paid about 300,000*l.* a year in the shape of income tax, which money made its way into the English Exchequer, and he thought that Ireland was fully entitled to credit for so much.

Sir W. VERNER said, that after the remark made by the hon. Gentleman who had just sat down, as to the loyalty of Ulster being conditional, he felt that as one who had been perfectly acquainted with that province for the last fifty years, he would not be fulfilling his duty if he allowed such an observation to pass unnoticed. Hon. Gentlemen might not he aware that the loyalists of Ulster had on two occasions received the thanks of that House, and on one occasion the thanks of the other House of Parliament, for their exertions in suppressing the rebellion which raged from one end to the other of the remaining provinces. He would also remind the House, that last year, when the presence of 40,000 troops was necessary to maintain the peace of Ireland, the few troops in Ulster had been withdrawn and sent to other parts of the country.

Sir L. O'BRIEN begged to explain that he could not vote for going into Committee in the absence of any explanation as to the manner in which the proposition was intended to be carried out.

Question put. The House divided.—Ayes 195; Noes 96: Majority 99.

List of the Ayes.

Abdy, T. N.
Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Anson, hon. Col.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagshaw, J.
Baines, M. T.
Baring, rt. hon. Sir F. T.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Boyle, hon. Col.
Brackley, Visct.
Bramston, T. W.
Bright, J.
Brocklehurst, J.
Brotherton, J.
Brown, W.
Bulkeley, Sir R. B. W.
Bunbury, E. H.
Cardwell, E.
Carew, W. H. P.
Carter, J. B.
Cayley, E. S.
Christy, S.
Clay, J.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Cobden, R.
Coke, hon. E. K.
Cowper, hon. W. F.
Craig, W. G.
Davie, Sir H. R. F.
Deedes, W.
Douglas, Sir C. E.
Duckworth, Sir J. T. B.
Duff, G. S.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
East, Sir J. B.
Ebrington, Visct.
Ellis, J.
Elliot, hon. J. E.
Enfield, Visct.
Ewart, W.
Fagan, W.
Ferguson, Col
Fordyce, A. D.
Forster, M.
Glynn, G. C.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, T.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grey, R. W.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, rt. hon. W. G.
Headlam, T. E.
Heneage, G. H. W.
Henley, J. W.
Henry, A.
Herbert, rt. hon. S.
Hervey, Lord A.
Heyworth, L.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Hogg, Sir J. W.
Hollond, R.
Horsman, E.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Howard, P. H.
Jackson, W.
Jervis, Sir J.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennard, T. B.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Locke, J.
M‘Cullagh, W. T.
M‘Gregor, J.
Mahon, The O'Gorman
Maitland, T.
Mangles, R. D.
Marshall, J. G.
Marshall, W.
Martin, S.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Morris, D.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Mure, Col.
Norreys, Lord
Norreys, Sir D. J.
Nugent, Lord
O'Connell, J.
O'Connell, M. J.
O'Connor, F.
Ogle, S. C. H.
Paget, Lord C.
Paget, Lord G.
Pakington, Sir J.
Palmerston, Visct.
Parker, J.

Pearson, C.
Pechell, Capt.
Peel, rt. hon. Sir R.
Peel, F.
Pilkington, J.
Pinney, W.
Power, N.
Pryse, P.
Pusey, P.
Raphael, A.
Repton, G. W. J.
Reynolds, J.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Salwey, Col.
Sandars, G.
Sandars, J.
Scrope, G. P.
Seymer, H. K.
Sheil, rt. hon. R. L.
Simeon, J.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, J. B.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stansfield, W. R. C.
Stanton, W. H.
Strickland, Sir G.
Stuart, Lord D.
Stuart, Lord J.
Talbot, C. R. M.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, hon. F. J.
Towneley, J.
Townley, R. G.
Townshend, Capt.
Vane, Lord H.
Villiers, hon. C.
Walmsley, Sir J.
Walter, J.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
West, F. R.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Willoughby, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wrightson, W. B.
Wyld, J.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the Noes.

Adare, Visct.
Adderley, C. B.
Anstey, T. C.
Archdall, Capt. M.
Bailey, J., jun.
Bankes, G.
Barron, Sir H. W.
Bennet, P.
Bernard, Visct.
Boldero, H. G.
Bourke, R. S.
Brooke, Sir A. B.
Bruce, C. L. C.
Buller, Sir J. Y.
Castlereagh, Visct.
Caulfeild, J. M.
Chichester, Lord J. L.
Clements, hon. C. S.
Cobbold, J. C.
Cocks, T. S.
Cole, hon. H. A.
Coles, H. B.
Conolly, T.
Corry, rt. hon. H. L.
Cubitt, W.
Dick, Q.
Disraeli, B.
Dod, J. W.
Dodd, G.
Dundas, G.
Dunne, F. P.
Du Pre, C. G.
Farrer, J.
Forester, hon. G. C. W.
Fox, R. M.
Fox, S. W. L.
Fuller, A. E.
Gore, W. R. O.
Granby, Marq. of
Greene, J.
Grogan, E.
Halford, Sir H.
Hall, Col.
Hayes, Sir E.
Herbert, H. A.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hood, Sir A.
Jolliffe, Sir W. G. H.
Jones, Capt.
Ker, R.
Knox, Col.
Lennox, Lord H. G.
Lewisham, Visct.
Lockhart, W.
Lopes, Sir R.
Macnaghten, Sir E.
Macnamara, Maj.
Meagher, T.
Manners, Lord G.
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Monsell, W.
Moody, C. A.
Mullings, J. R.
Napier, J.
Newdegate, C. N.
Newport, Visct.
Newry and Morne, Visct.
Nugent, Sir P.
O'Brien, Sir L.
O'Flaherty, A.
Ossulston, Lord
Pigot, Sir R.
Plumptre, J. P.
Prime, R.
Renton, J. C.
Rufford, F.
Scott, hon. F.
Scully, F.
Sibthorp, Col.
Spooner, R.
Stafford, A.
Stanley, E.
Stuart, J.
Taylor, T. E.
Tenison, E. K.
Thompson, Ald.
Tyrell, Sir J. T.
Verner, Sir W.
Waddington, H. S.
Walsh, Sir J. B.
Wodehouse, E.

TELLERS.

Beresford, W.
Mackenzie, W. F.

Matter considered in Committee.

Motion made, and Question proposed—

"That in each of the two next years there shall be paid by every Union in Ireland, a sum equal to a rate of sixpence in the pound on each electoral division in such Union, towards a General Fund for the relief of the Poor in Ireland.

"That the said sum shall be paid to a separate account at the Bank of Ireland, in the name of the Paymaster of Civil Services in Ireland, and shall be applied in such manner as Parliament shall direct."

Committee report progress.

House adjourned at half-past One o'clock.

HOUSE OF LORDS,

Friday, March 2, 1849.

Minutes.] *Took the Oaths.*—The Bishop of Cashel.

Public Bills.—1ª Relief of Distress (Ireland); Vice-Guardians of Unions (Ireland); Overseers (Cities and Boroughs).

Petitions Presented. From Fermanagh, and the Limerick Union, for Inquiry into the Working of the present Poor Laws in Ireland.

AFFAIRS OF TUSCANY.

Lord BROUGHAM rose to ask a question of the Government, which he considered of some importance. A statement had appeared, both in the English and French newspapers, to the effect that our consul at Leghorn had recognised, or in some way given his countenance to, the insurgent Government now established in Tuscany; and it appeared that the Provisional Government now established at Leghorn had taken advantage of that fact in their proclamations. He trusted, and indeed he might say he had no doubt, that this would turn out not to be the fact. The idea of recognising every insurgent Government that might be able to establish itself for a few days, was altogether monstrous. The recognition of the Government of France in 1830 was altogether different. To recognise every Government *de facto*, was a proper rule; but surely no one would call any government that might be set up by a band of insurgents a *de facto* government.

The MARQUESS of LANSDOWNE said, he did not believe that the English consul at Leghorn had done anything which could be considered to amount to a recognition of the insurgent Government; but he knew nothing of the subject of his own knowledge.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, March 2, 1849.

MINUTES.] PUBLIC BILLS.—1° Real and Personal Property Conveyance.

Reported.—Petty Sessions; Distraining for Rates.

3° Outdoor Paupers.

PETITIONS PRESENTED. By Mr. Cardwell, from the Liverpool Shipowners' Association, against the Navigation Bill.—By Sir Percy Nugent, from the Gentry, Clergy, and Others, of Westmeath, for an Alteration of the Poor Law (Ireland).—By Mr. Rufford, from the Parish of St. Nicholas, in the City of Worcester, for the Suppression of Promiscuous Intercourse.—By Mr. Headlam, from the Guardians of the Teesdale Union, in the Counties of Durham and York, for an Alteration of the Public Roads Bill.—By Mr. Anderson, from the Baptist Congregation worshipping in Norwood, Surrey, and by other Hon. Members, from several Places, for Referring War Disputes to Arbitration.—By Lord Rendlesham, from Frances Sarah Barlee, of Duke's Bridge House, Bungay, in the County of Suffolk, complaining of the Tithes, Rates, and Taxes imposed upon her Land.—By Captain Archdall, from the Ratepayers of Fermanagh, and by other Hon. Members, from various Places, for an Alteration of the Poor Law (Ireland).—By Mr. Keppell, from several Ladies of Lymington, Hants, for the Suppression of Promiscuous Intercourse.—By Mr. Osman Ricardo, from the City of Worcester, for the Suppression of the Slave Trade.

DIVISION OF THE LIVING OF RICHMOND AND KINGSTON-UPON-THAMES BILL.

Motion made, and Question proposed, "That the Bill be now read a second time."—Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

MR. C. LUSHINGTON opposed the second reading of this Bill, on behalf of the parishioners, who felt aggrieved at the attempt to saddle them with additional burdens, and to charge the poor-rate with the cost of the vicar's garden and other expenses. He considered it as a mere contrivance to create a fresh endowment. Dissenters were very numerous in the parishes which it would affect, and those religionists felt themselves much aggrieved by its proposal. This was in fact a sister bill to the Whitechapel Rectors Bill, one being a job of Brasenose, Oxford, and the other a job of King's College, Cambridge. He, therefore, moved as an Amendment that it be read a second time that day six months.

MR. GOULBURN hoped the House would not reject this Bill, the object of which was only to divide the living, and to appropriate a portion of the funds to the support of another incumbent; thus increasing the means of church accommodation and of spiritual provision. The parishes of Richmond and Kingston were large, and fairly called for a division—a purpose perfectly in accordance with the principle approved of by the House last night, on the Motion of the noble Lord (Lord Ashley); and he utterly denied that the project—a most momentous one—deserved the odious epithet of "a job."

MR. L. KING said, he did not understand there was any opposition to the Bill on the part of the inhabitants in the neighbourhood. The Bill had been agreed to in full vestry of the parishes of Richmond and Kingston. Not a single parishioner had opposed it.

Question put, "That the word 'now' stand part of the Question." The House divided:—Ayes 36; Noes 27: Majority 9.

List of the AYES.

Ashley, Lord
Bellew, R. M.
Bernard, Visct.
Blackall, S. W.
Blair, S.
Boyle, hon. Col.
Buller, Sir J. Y.
Campbell, hon. W. F.
Childers, J. W.
Clay, Sir W.
Deedes, W.
Dodd, G.
Fuller, A. E.
Goulburn, rt. hon. H.
Greene, T.
Grogan, E.
Heald, J.
Herbert, rt. hon. S.
Hill, Lord M.
Hornby, J.
Hotham, Lord
Lindsay, hon. Col.
Macnaghten, Sir E.
Maitland, T.
Masterman, J.
O'Connor, F.
Patten, J. W.
Plumptre, J. P.
Russell, F. C. H.
Sandars, G.
Somerville, rt. hon. Sir W.
Spooner, R.
Stanley, E.
Taylor, T. E.
Ward, H. G.
Watkins, Col. L.

TELLERS.
King, P. J. L.
Douglas, Sir C.

List of the NOES.

Anderson, A.
Brotherton, J.
Brown, H.
Clay, J.
Cobden, R.
Duke, Sir J.
Duncan, G.
Ellis, J.
Evans, Sir De L.
Fagan, W.
Forster, M.
Greene, J.
Harris, R.
Humphery, Ald.
Kershaw, J.
Locke, J.
Mowatt, F.
Pilkington, J.
Reynolds, J.
Smith, J. B.
Stuart, Lord D.
Thorne [illegible]
Townshend, Capt.
Walmsley, Sir J.
Wawn, J. T.
Willcox, B. M.
Wyld, J.

TELLERS.
Lushington, C.
Thompson, Col.

Main Question put, and agreed to.

Bill read 2°, and committed, and referred to the Committee of Selection.

Mr. LUSHINGTON said he should, on the bringing up of the report, move that it be not received.

Mr. GOULBURN remarked, that it was impossible to tell what alterations the Committee might make in the Bill, and yet the hon. Member pledged himself—whatever its provisions might then be—to move its rejection.

DUBLIN CORPORATION WATERWORKS BILL.

Order for Second Reading read; Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. GROGAN moved, as an Amendment, that the second reading of the Bill be postponed to Tuesday, the 13th March, the day to which the second reading of another Bill, connected with the same subject, had been postponed.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon Tuesday the 13th day of this instant March."

Mr. REYNOLDS stated, that the object of the Bill was to enable the corporation of Dublin to supply the citizens with pure water. They asked for no new assessment, intending to construct the necessary works out of the profits. He believed that his hon. Colleague's opposition was wholly political, and had no reference to the intrinsic merits of the measure.

Mr. SIDNEY HERBERT was aware of the existence of two political parties in Dublin, who violently opposed each other on this and other municipal questions; but their struggles were a matter of perfect indifference to him. His only reason for interfering in this matter was, that he owned some property in Dublin, and that his tenants had a strong feeling against the hon. Member for Dublin's Bill. They complained of being exposed to the expense of an annual struggle, and were anxious that the matter might be finally settled by Parliament, one way or the other. He thought that the best thing to be done would be to send all the contending parties before a Committee, and therefore he should support the Motion for postponement.

Sir W. SOMERVILLE said, it was most desirable to put an end to those annual applications to Parliament from the corporation and citizens of Dublin with respect to the Bills before the House, which were attended with very great expense both to the parties applying and to the parties opposing. He would support the adjournment to the day named by the hon. Gentleman opposite.

Mr. J. O'CONNELL said, the postponement would be attended with considerable expense, and, therefore, he could not support the application for delay.

Mr. GROGAN asked, if his hon. Colleague would consent to postpone his Bill, with the view of referring both Bills to the same Committee?

Mr. REYNOLDS could not accede to the proposition.

Question put, "That the word 'now' stand part of the Question." The House divided:—Ayes 35; Noes 93: Majority 58.

Words added:—Main Question, as amended, put, and agreed to:—Second Reading deferred till Tuesday 13th March.

DUBLIN IMPROVEMENT BILL.

Order for Second Reading read; Motion made, and Question proposed—"That the Bill be now read a second time."

Mr. GROGAN moved that this Bill, also, be postponed for a fortnight; and he trusted that the hon. Member for Dublin would not put the House to the trouble of dividing upon it, inasmuch as the question involved was the same as that which was mooted in the last case.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon Tuesday, the 13th day of this instant, March."

Mr. REYNOLDS said, that considering as he did that the majority was in this instance wrong, and the minority right, he should persist in moving the second reading. The object of the Bill was to vest in the corporation of Dublin the powers enjoyed at present by the Paving Board, as well as other irresponsible bodies. Now he should beg to inform the House of some of the doings of the Paving Board. It was a body appointed by the Lord Lieutenant. It was presided over by three commissioners, at salaries of 500*l.* a year each, and they had thirty-six officers under them. The board had pensioned off four of their commissioners, after short terms of service, and had saddled the citizens of Dublin with their pensions. Those pensioners were—Sir Robert Alexander, after twelve years' duty as commissioner, a pension of 184*l.* a year; William John Alexander, after having been a commissioner for seven years, 184*l.* a year; Stephen Ormsby, after having been a commissioner for eight years, 184*l.* a year; and Sir William Jephson Cockburn, after eight years' commissionership, 184*l.* a year. The total amount of monies received annually by the commissioners of paving was 36,000*l.*; and the salaries which they deducted for themselves and their officers amounted to 8,177*l.*; being something like twelve per cent on the amount received. He begged of the House to assist him in saving the citizens of Dublin from such a robbery. The right hon. Baronet the Member for Tamworth, whose name he never used in that House but with the utmost respect and affection —that right hon. Gentleman had promised to extend to his country all the advantages of municipal rights which were enjoyed in this country. But how had his supporters kept that promise? Thank God, he (Mr. Reynolds) was not a man of bad temper—but if he had been, certainly this opposition would have been quite sufficient to excite it. The House did not dare to refuse to the towns and cities of England the right of managing their own local affairs; but because Dublin was on the other side of St. George's Channel, they refused to extend that principle to her. As to the postponement, he objected to it upon the ground that it would place him in company with the other Bill to which allusion had been made, and which had been postponed from last Tuesday. Poverty was said to make people often acquainted with strange bedfellows; but the power of the House seemed inclined to make him acquainted with a bedfellow which he disliked extremely. He was about to be placed in bad company, to have his Bill put upon an equality with a Bill of a fraudulent nature; and if the House should agree to the Motion for postponement, he should feel grievously disappointed.

Sir J. Y. BULLER was surprised at the expression of the hon. Member for Dublin, when he said, that he should feel grievously disappointed if the House agreed to the Motion for postponement, and if both bills were referred to the same Committee. From what he (Sir J. Y. Buller) had seen in former Committees of the difficulty, indeed the utter impossibility, of inducing the adverse parties connected with Dublin to come to any mutual understanding, he thought it would be advisable for the Irish Government to take all those private Bills into their own hands. In the present case he hoped the hon. Gentleman would agree to the postponement.

Mr. REYNOLDS, at the recommendation of the hon. Baronet, for whose opinion he entertained the utmost deference, agreed to the postponement.

Question—"That the word 'now' stand part of the Question," put, and negatived. Words added: Main Question, as amended, put and agreed to: Second reading deferred till Tuesday, 13th March.

HENLEY AND LONDON WATERWORKS, &c., BILL.

Order for Second Reading read; Motion made, and Question proposed, "That the Bill be now read a second time."

Colonel KNOX opposed the Motion for the second reading of this Bill. The object of the scheme was said to be to provide a supply of pure water; but how that was to be effected by bringing the water from the upper part of the Thames, through the Paddington and Grand Junction canals —proverbially the dirtiest in the country— to a reservoir near the metropolis, he could not understand. There were in existence several water companies who had been at the expense of nearly five millions in laying down pipes to the extent of two or three thousand miles; and it would be monstrous to allow their property to be prejudiced unless the promoters of this Bill could show that they could cheapen and secure a more abundant supply. Now, complaints were frequently made that the houses of the poor were not supplied; but the cause of this was, that the landlords would not lay the water on. Again, the property of the millowners on the banks and in the vicinity of the river were utterly disregarded and lost sight of. Then the House were bound to consider the question of compensation to those whose rights were affected by this Bill. The compensation to millowners only would amount to no less than 700,000*l.* It was important that the House should be aware of the nature of the subscription list. The matter, as it appeared to him, was got up by solicitors and engineers. He found, indeed, that at the head of the subscription list were the names of the Parliamentary agents who had got the charge of the Bill through that House, to the amount of 205,000*l.* Having stated some other objections he had to the subscription list, the hon. Member concluded by moving that the Bill be read a second time on that day six months.

Amendment proposed, to leave out the word "now," and at the end of the

Question to add the words "upon this day six months."

MR. ROBERT PALMER, being acquainted with the locality through a part of which it was intended to carry these works, was bound to say he thought he must in perfect fairness second the Motion for postponing the second reading of this Bill for six months. The proposition was to bring the water some thirty miles for supplying London with water, at a better level, and with a better supply than any other company; and certainly no one could oppose such an undertaking, if it could be carried out in a *bonâ fide* manner, and without inflicting grievous injury on property. He did not know a single individual whose property was likely to be invaded by this scheme, who were favourable to the views of the company. The landholders were opposed to them, because it was proposed to make a large aqueduct and embankments similar to those which occurred on railways; and these embankments would occupy a large portion of the land. Then there were the various millowners, possessing mills on the banks of the river at Marlow, and other places; there were on the river at short distances a series of locks, and there was a mill at every lock; and the effect of the proposed plan would be to dry up the mill heads. Again, there was another important consideration, which he begged to suggest to the House. From the statement which had been put forth by the promoters, it appeared that parties authorised by the Admiralty would proceed on a day named—which would be some days hence—for the purpose of inspecting the plans, and making the necessary inquiries. So that it appeared that the needful official inquiry had not yet been made.

SIR DE LACY EVANS said, the House would at once concede that it was most desirable that the denizens of this great metropolis should be provided with a pure and cheap supply of water. The report of the Commissioners of Sanitary Reform stated that a large number of the inhabitants were not properly supplied with pure water, and recommended that this defect should be supplied by encouraging competition. They would not have made this statement if the existing companies supplied all the water that was required. Why, at present 60,000 houses were not supplied with water. It was but fair to assume that each house was occupied by one family; but he regretted to say that in many cases each room contained a family. These parties were only supplied by means of pumps, or once or twice a week from the mains, which caused great confusion, and was a most inadequate and imperfect mode of supplying water. They had it, therefore, in evidence, that the existing companies had totally failed to supply the requirements of a large number of people. The object of the Bill was, in the words of the commissioners, to improve the supply of water, and to give it in greater quantities and at a cheaper rate to the poorer classes. Every one knew that the mass of water taken from the Thames was from the tidal portion of the river, which was most impure; so impure that he had the authority of many eminent scientific men for saying that it could not be purified by the process of filtration. Parties having land would of course receive that compensation which the Committee might award. He trusted the House would deem this a fair instance of competition, and not allow obstacles to be thrown in the way of the inhabitants of the metropolis being supplied with pure and cheap water.

The EARL of LINCOLN said, that inasmuch as the hon. and gallant Officer, in advocating the cause of this company, had treated the matter very unfairly, it was right that he (the Earl of Lincoln), as one of the Commissioners of Sanitary Reform, to whom the gallant Officer had referred, should say a few words. The hon. and gallant Officer had quoted from a report, and it was right he (the Earl of Lincoln) should state to the House how the matter stood, more especially as this was not the first time that companies had quoted from public documents in a very unfair way. Now, the statement which he held in his hand, contained in the second report of the Board of Health of large towns and populous places, of which the Duke of Buccleuch was chairman, was to the effect stated by the hon. and gallant Officer, that on the part of the public it might fairly be required that the system of the supply of water should be greatly improved by a more ready and liberal supply to the poorer classes. If these words were taken by themselves, it would appear that the feeling of the Board was, that opposition should be encouraged as against existing companies. But the gallant Officer had omitted the sentence—

> "But in order to improve the system of a better supply, the Legislature should enable the water-

works companies to raise sums for the improvement of their works, &c."

Now he did not mean to assert that the views of the Board ought to carry weight in that House, but he thought the matter had been unfairly put.

SIR DE LACY EVANS rose to explain. He begged to say that he knew no more of the report than had been supplied him.

SIR W. CLAY opposed the Bill. His hon. and gallant Friend had talked of 60,000 houses in London being unsupplied with water. Now, was that the fault of the present companies? The report of the Commissioners, already quoted, laid it down that an ample supply of water involved twelve gallons daily to each individual. Well, then, taking the inhabitants of London at 2,000,000, the supply requisite per diem on this calculation would be 24,000,000 gallons, whilst the present companies could and did supply not less than 60,000,000 gallons. If a number of houses were unsupplied, it was not the fault of any of the existing companies. He wished to notice one very unfair statement in the prospectus of the company now applying for a Bill. They stated that the companies which now supplied London from the Thames took their water between London-bridge and Battersea-bridge. Now this was not the fact. There was only one company, supplying a small district south of the Thames, which derived their supply of water from the portion of the river in question, and last year that company obtained a Bill to change the source of their supply. The other Thames companies obtained their water respectively at Kew and Hammersmith.

MR. HUME said, the House was now called upon to reject an offer to supply the metropolis with an abundant quantity of water at a reasonable price. It was proposed by this Bill, without the outlay of a single shilling of public money, to give an ample supply of water to every *50l.* a year house for *30s.* a year. He thought the opposition most unreasonable, and should support the Bill.

LORD D. STUART said, the House had been told that the metropolis was sufficiently supplied, but he could not see why another company should not be allowed to afford an additional supply. He trusted the House would not show such a disregard to the demands and wants of the metropolis, and particularly of the lower class, as to throw out the Bill.

Question put, "That the word 'now' stand part of the question." The House divided:—Ayes 57; Noes 137: Majority 80.

Words added. Main question, as amended, put, and agreed to.

Second reading put off for six months.

NAPLES AND SICILY.

MR. URQUHART begged to repeat a question which he had before put to the noble Viscount the Secretary for Foreign Affairs. He had asked the noble Viscount if he would produce any papers relating to the negotiations which had led to the presence of Admiral Parker's squadron in the Bay of Naples last year; and in reply his Lordship said it would not be for the public advantage to do so. As the noble Viscount had since that time given some information with respect to those events, he begged to ask whether he had now any objection to produce those papers?

VISCOUNT PALMERSTON: What negotiations does the hon. Member mean?

MR. URQUHART: The negotiations which led to the presence of Admiral Parker's squadron in the Bay of Naples last year, and which he stated had been satisfactorily settled.

VISCOUNT PALMERSTON said, he would look over those papers, and see whether they were sufficiently separated from questions still pending, to allow of their being laid before the House without objection. He rather fancied, however, that they were so interwoven with negotiations not yet completed, that they could not be produced without prejudice to the public service.

MR. URQUHART: Would the noble Viscount be able to state when he can give an answer, as I intend to move?

VISCOUNT PALMERSTON: On Monday.

FAILURE OF THE ST. PETER'S SAVINGS BANK, DUBLIN.

MR. REYNOLDS begged to ask the right hon. Gentleman the Chancellor of the Exchequer a question, of which he had given notice, connected with the failure of the St. Peter's parish savings bank, Dublin. In compliance with the wishes of the House, he would postpone the Motion he had upon the Paper for the appointment of a Select Committee of Inquiry; and in asking his question he would take the liberty of stating the facts of the case connected with the failure of the bank as briefly as possible. The number of depositors who had lost their money by that failure was 1,500; the amount due to them was 51,000*l.*, and only 87*l.* seemed to be forthcoming in order to meet their claims. It appeared that nine-tenths of the depositors were servants, and that for 15 years the Commissioners for the reduction of the national debt were aware of the insolvency of the bank, and never advised caution on the part of the depositors. [*Cries of* "Question!"] The question was, whether any steps had been taken up to the present time to insure payment to the depositors—whether the right hon. Gentleman had given any and what instructions to Mr. Tidd Pratt with that view—and whether he would object to the appointment of a Select Committee of Inquiry at the proper time?

The CHANCELLOR OF THE EXCHEQUER said, the hon. Member for Dublin was probably aware that Mr. Tidd Pratt had been making the necessary inquiries, and that application was made to parties connected with the bank, with the view of obtaining possession of certain books, in order to enable the law authorities to decide on the question of the liability of the trustees. In the opinion of Mr. Tidd Pratt, particular books were necessary, with the view of coming to a right decision upon this important subject to the depositors; but the bank seemed to think that it was not bound to produce them. It appeared to him (the Chancellor of the Exchequer) that this refusal was in reality a stand taken in the way of justice, and he had accordingly informed the Solicitor to the Treasury, that he would direct funds to be provided to try the legal question, so as to ascertain the claims of the depositors. What the result of that appeal would be he knew not; but he thought it might be inconvenient if a Committee of that House should institute any inquiry while these legal proceedings were pending.

MR. H. A. HERBERT begged to ask the right hon. the Chancellor of the Exchequer a question in connexion with the present subject. It would be in the recollection of the House that a Committee on Savings Banks had sat to receive evidence, and any hon. Gentleman who perused the report of the testimony given would see that gross abuses existed in the system. He believed it was the intention of Her Majesty's Ministers to introduce a Bill on the subject; and his question was, when the right hon. Gentleman would legislate upon it, in order that an end might be put to the evils which now abounded?

The CHANCELLOR OF THE EXCHEQUER replied, that a Bill was in course of preparation; but, owing to the large amount of business now before the House, he was not in a position to say when it would be introduced.

Subject dropped.

RUSSIAN INTERVENTION.

LORD D. STUART wished to put a question to the noble Lord the Secretary for Foreign Affairs. A statement had appeared in the public journals, in a shape entitling it to some credit, to the effect that a portion of the Russian army had proceeded to enter the Austrian territory, and take part in the struggle going on there between the Austrians and Hungarians. He wished to ask the noble Lord whether he had received any information on the subject; and, if so, whether he would object to lay it before the House?

VISCOUNT PALMERSTON: In answer to my noble Friend, I may state that Her Majesty's Government have received information that, upon the approach of the Hungarian forces towards Hermannstadt and Cronstadt, and the frontier towns of Transylvania, the people applied to the Russian officer on the borders of Walachia for forces to protect them, as inconvenience was likely to result to them from the advance of the Hungarian troops. In consequence of that application, two bodies of Russian troops occupied Cronstadt and Hermannstadt; but they did not, I think, take any other part in the hostilities going on.

POOR LAWS (IRELAND)—EXPLANATION.

LORD J. RUSSELL informed the House that the hon. and learned Member for the University of Dublin (Mr. Napier) was desirous of making some observations regarding himself and the debate of the night before.

MR. NAPIER said, that in the course of the debate the previous evening the noble Lord at the head of the Government had alluded to his (Mr. Napier's) observations as being "uncandid;" and, under the circumstances, he certainly had felt aggrieved that such an imputation should have been made against him. He had alluded to the noble Lord's measure on that occasion as being premature, and he did so on this ground—that as it was unaccompanied by any proposals on the part of the Government for a final modification of the poor-law, the House was not in a position to judge of its propriety. The noble Lord seemed, by his observations, to think that he (Mr. Napier), as a Member of the Committee, was aware that other portions of the Irish plans had been submitted for consideration, and that, taking the whole of the proposals together, the plan was complete, and ought not to have been considered as premature. Now, the other portions of the plan were postponed for consideration until the inquiry was completed and the evidence published, and those subsequent portions were dependent on the result of that inquiry. The view he took was this, that those other portions had no bearing on the question at all; but, even if they were connected with the proposal before the House, then, if they were premature, *à fortiori* the whole was premature; and if the matter were not to be finally adjusted, then he did think the proposal was premature. He was obliged to the noble Lord for having afforded him this opportunity to explain, because he should be sorry now, or at any other time, if an imputation should rest upon him of a want of candour.

SUPPLY—NAVY ESTIMATES.

The House then resolved itself into a Committee of Supply, Mr. Bernal in the chair.

Sir F. T. BARING proposed a vote of 200,000*l.*, on account, for excess of naval expenditure.

Mr. HUME hoped, that by allowing this vote to pass without observation, no hon. Member who dissented from it was in the slightest degree compromised.

> "*Resolved* — That a sum, not exceeding 200,000*l.*, be granted to Her Majesty, towards defraying the excess of the Naval Expenditure beyond the grants for the year ended on the 31st day of March, 1848."

Resolution to be reported on Monday next.

The House then resumed.

POOR LAWS (IRELAND)—RATE IN AID.

The House having resolved itself into a Committee on the Poor Laws (Ireland),

Lord J. RUSSELL rose, and said: I now rise, Sir, for the purpose of explaining to the Committee the course which Her Majesty's Government wish to pursue with regard to this most difficult question of the poor-laws in Ireland. Earlier in the present Session I proposed the appointment of a Committee, stating at the same time my opinion, that, although the Government had certain amendments of the law in view, it would be desirable that some Gentlemen representing Irish constituencies, and other Members of this House, should be appointed on that Committee, in order that, by their knowledge, by their experience, and by their acquaintance with the feelings and opinions of the people of Ireland, as well as of this country, they might aid in the discussion of this arduous subject. Sir, I brought before that Committee, upon their first meeting, several propositions. But before I allude to them, I will state, in the first place, what I conceive to be the general working of the poor-law in Ireland. It appears to me, then, that so far as the measures passed in this House in 1847, for placing on the property of Ireland the charge of the destitution which it was foreseen would be very appalling for a considerable time, and which would at all times be of very large extent—so far, I say, as the object of those measures has been the relief of destitution by rates collected in Ireland, so far has that object, to a great degree I think, been attained. It is not to be denied, however, that in accomplishing that object great evils have arisen, some of them arising from particular circumstances of a local nature, others from circumstances of a more general character; but all requiring the serious attention, first of a Committee, and afterwards of this House and of Parliament. Generally speaking, I think it is admitted that in many parts of Ireland the occupiers of land, upon whom was suddenly imposed a burden, accompanied by circumstances of no ordinary character—the occupiers of land in Ireland, instead of considering the burden of pauperism a reason for their giving greater employment, have, on the contrary, taken alarm at the extent of the burden imposed on them, and have rather diminished than increased the number of their labourers. It therefore appears, that though it is contrary to the general principles of the poor-law, and more especially of the poor-law in England, which contemplates the relief of distress wherever it may exist, and that the destitute poor will either be relieved if infirm, or if ablebodied set to work at the expense of the local community, and that to any extent and to any amount which first the parish and afterwards the county would require, it appears to us that notwithstanding the divergence from such a plan, it would be expedient in Ireland to propose that there should be a maximum rate, beyond which the rate for the poor should not go. In proposing this maximum rate, it should be considered in the first place, whether it should be entirely a union rate, whether it should be an electoral division rate, and whether there should be any auxiliary rate given from any other portions of the country. What I proposed to the Committee was, in the first place, that there should be a rate of *5s.* in the pound—that is, that the poor-rate should not extend beyond *5s.* in the electoral divisions; and that when it should exceed that sum, a rate should be collected from the union not exceeding *2s.*, making a rate of *7s.* altogether, to which the electoral divisions should be subjected. On that subject, the Committee were of opinion—although I think they were generally favourable to the imposition of a maximum rate — that it was advisable that some evidence should be taken, with regard especially to the amount which it was expedient to impose. I believe such was the general opinion of the Committee with regard to that part of the plan which I proposed; and I consented to withdraw the resolutions I had moved on that subject, to allow the Committee to proceed with the evidence. But before I went into Committee, I stated in this House, that if at any time I thought, or if the Government should come to any decision, that it was necessary to propose any measure, that even though the Committee should not adopt it, I should then feel myself justified in coming down to the House to ask it to assent to it. However, I do not propose at the present time to make any proposition to the House on the subject of a maximum rate. I shall readily wait until further evidence has been taken on that branch of the subject; but it certainly is the decided opinion of the Government, that whether the *5s.* and the *2s.* respectively are the proper limit or not—whether the mode of taking the first sum from the electoral divisions is the most expedient form or not—yet that in the present state of Ireland a maximum rate is desirable, and that you might combine the relief of destitution — which I must say is the object to a great extent that has to be achieved — with the encouragement of industry and the promotion of the cultivation of the soil. I will go on, Sir, to state some other measures which the Government have in contemplation with respect to the poor-law, on which I have not asked the opinions of the Committee, but which I intend, at some future time, in modification of the present poor-law, to propose to it. One of these alterations is, that when agricultural improvements on the land take place, there should not, for a certain number of years, be an increased valuation on account of these improvements. Whether that period should be seven years or ten years, or whether it should be for any longer period, is a point upon which there may be room for much difference of opinion. I should think ten years ought to be the utmost limit, perhaps seven years would be sufficient; but, as I have said, upon that there may be room for considerable discussion. There are some other alterations that I think necessary with regard to the poor-law in Ireland; and, more especially, there is one upon which a great deal of attention has been fixed during the discussion that has taken place from the very commencement of the amended poor-law, in 1847, and upon which I wish to state some general views to the Committee. It is with respect to the area of taxation. Many persons are of opinion—I believe the majority of the Irish Members, both upon the Committee and in this House, would be doubtless of opinion—that it is desirable to have a maximum point beyond which the poor-rate will not go. They will be of opinion that the occupier of land would be more likely to take land and expend his capital upon it, if he had a certainty that there would not be an unlimited rate imposed; and they will think also, that in the case of the sale of property, property would be much more readily bought if the purchaser was sure that the whole of the rent would be derived from the estate—that it would not be entirely swallowed up by the poor. It is considered that the area of taxation should be much more limited than it is at present. It is with the view that the landlord, having a certain limited amount of labour within a certain district, and being so far master of that district as that he could command the employment to be given upon it, would more readily employ his capital on such land, and employ the labourers residing there, than he would be if he found that other proprietors living in his immediate neighbourhood, and subject to a similar poor-rate taxation as himself, were able at the same time to refuse all employment, and thus thereby throw upon him the burthen of taxation, while he was employing all the labour which it was in his power to employ for the improvement of his own land. But, Sir, while I admit that this is certainly a most plausible view of the subject to take, I think it is impossible to consider the question in all its bearings without seeing that if the principle were adopted of saying that each property should form a separate and distinct area of taxation of itself, liable only to the support of the poor found upon it, very serious evils are likely to spring up. In the first place, it does not seem to me that, if this principle were acted upon, we could give the small proprietors the benefits that would be given to the larger ones. In a return, drawn up by the clerk of the Limerick union, I find the cases of some large proprietors mentioned: there are also the cases noticed of small proprietors having only about thirty-eight acres. Now, I do not see how it is possible to say, "We shall protect you, the proprietor who owns two or three thousand acres, against being swamped by the negligences of your neighbour who has only thirty-eight acres; but we will not concede the same advantages to the proprietor of thirty-eight acres, who is liable to be swamped by the negligences of the proprietor of two or three thousand acres." There could be no fairness in any such one-sided system as this. But if you determine that every small property shall have a separate taxation, it is obvious that the confusion which will arise must be very great, and that it would be almost impossible to carry the poor-law into effect; and that other evils would necessarily follow. But there are even stronger objections than this. One is, that although a landlord wishing to do his duty, and finding a number of labourers on his estate, and that the land was capable of improvement, would no doubt readily lay out his capital upon that land—would readily take care that the ablebodied labourers should be employed, and he himself would ultimately be rewarded, not only by seeing the happiness and cheerfulness of those around him in his service, but also by finding that his estate was, in the long run, far more valuable than if it were left untouched. I say, supposing all this to be very true, still in Ireland, the testimony of almost every gentleman belonging to that country proves, there are a class of landowners who take a very different view of the matter. And, with respect to these landlords, when they found that their land was to bear the taxation for supporting all the infirmity and want of employment existing amongst the population resident upon it, their first impulse would be to rid their land of what they considered to be an incumbrance, and the small tenants at will would be driven away, for they would prove a burden to them. And you will find that these people would be driven, in very large numbers, from the agricultural districts; they would be driven, as many others had been driven in the course of the last thirty years, into the suburbs of the large towns, there to live as mendicants for a short time, and afterwards perish from disease and pestilence. But, Sir, even with regard to the best possible arrangements, were you to decide that each property is to be subject to its own rate for its own poor, you would then find that you would establish a much stricter law of settlement than that which exists in this country. You will find that these persons might obtain employment from their own immediate landowners, and from the occupiers of the different little circles in which they lived; but if they went out of that circle—if they thought of going a few miles further off, or even less than that, they would discover that they were met on all sides by a dread of their becoming chargeable upon the new district; and they would be driven back to reside in the district from which they had at first taken their departure; and they would thus become, not a class of free and independent labourers, worthy of the British empire, but be reduced to the miserable condition of absolute serfs to the landlords who employed them. Sir, while these are to me the objections, and, as it appears to me, the insuperable objections, to that subdivision of the areas of taxation which has been proposed by some poor-law reformers in Ireland, there is, at the same time, no doubt very considerable inconvenience arising from the size of many of the unions, and of many of the electoral districts. The Commissioners to whom I alluded last night have taken that subject into their consideration—they have compared the unions of the south with the unions of the north, and the electoral divisions of the south with those of the north; and although there are, no doubt, many physical circumstances in the face of the country which are different in different parts of it, yet, I think, their opinion is, that the more minute subdivision of the area of taxation that took place in the north was more favourable to the development of industry; and, therefore, they proposed that there should be a greater subdivision than has usually been with regard to the large unions of the south, and that a great portion of them should be contracted. The question how far such a different arrangement of unions, of electoral divisions, may be carried out, may very fairly become the subject of consideration to the Committee, who can examine persons who have been engaged in forming those new unions and new electoral divisions; and they might either be convinced that the right course has been pursued, or there might be suggestions made for some alterations with respect to the course to be adopted. It would better be left as a matter for full consideration and discussion whether we should adopt the principle that the Commissioners recommend for modifying the present electoral divisions, seeing that they were framed for a very different law from that which now exists. But the kind of subdivision I before referred to would be found a serious and permanent evil in the working of the poor-law in Ireland. Sir, there are some other amendments of the poor-law to which I know not that I need now more particularly allude; but there is one that has been suggested by others, and to which the Government has given its consideration, and upon which I am ready to state my views. It has been suggested that it is not just, considering the introduction of this poor-law in Ireland took place so very recently, and seeing that the charges on the land were not made in contemplation of the present poor-law—it has been argued, I say, that, considering all these things, it would not be just to subject these charges to the same rate for the poor, that the rent of the landlord should be. Now, I think, with respect to mortgages on the land, that it would be quite impossible to subject them to the charge for the poor-rate, it being a charge that must vary in its nature, not being fixed like a tax levied for the national exchequer. The immediate effect of any such deduction from the mortgages would be, that the sum so lent on mortgage would be withdrawn, and very great distress, instead of benefit, must be the consequence of that. But with respect to family charges the case is different. I think, these charges having been settled, not in contemplation of the poor-law, those who made the settlements having done so in the belief that the landowner would have a certain income from the soil, and therefore that a certain charge could fairly be paid in favour of the members of the family—I think, I say, that in these cases it would be at the same time just and also practicable that there should be a deduction made when these payments are made for the poor-rate to be imposed. I do not think it should go beyond the settlements that have been hitherto made. Then again there were settlements that have been made heretofore, it being known at the time that the poor-law existed in Ireland, and these settlements therefore being made with that law in contemplation. Now I do not think, with respect to charging these settlements with poor-rates, that the regulation should be made a prospective one with regard to settlements made heretofore; but these are all points that very properly ought to come under careful discussion. There is another question that has led to a good deal of doubt, but upon which I think some provision should be made—it is with regard to the land that has been unoccupied for a considerable time, and upon which the arrears of poor-rate are very considerable. Now I think it would tend much more for the future occupation and cultivation of the land, if for once these arrears should be remitted. But I come now, Sir, to state what is more particularly the subject of the resolution in your hands. And in so doing I must refer to the report of the Commission, which contains a letter to his Excellency the Lord Lieutenant, dated 11th December, 1848. It is at page 7 of the report. It says—

> "Of the entire number of unions, 131, there are perhaps twenty which require to be considered separately from the remainder, as presenting peculiar difficulties. There is a second class, consisting of ten or eleven unions, in which the present amount of outdoor relief is considerable, but in which, by dint of exertion, serious financial embarrassments may be avoided, and the destitution at the same time be effectually relieved, without external aid."

It might be stated, therefore, with regard to these 100 unions out of 137, that their state, considering the immense destitution they had experienced, is very satisfactory, and, indeed, I should say, more satisfactory than I could have expected them to be in. The report further says—

> "Of the remaining unions, say 100, there are thirty-seven in which no relief is at present given out of the workhouse; in the other sixty-three the extent of outdoor relief is for the most part inconsiderable, the aggregate total cost little exceeding 1,800*l.* weekly; while the additional workhouse accommodation provided in these unions is calculated to meet a considerable pressure, before the necessity of resorting to extensive outdoor relief will be again acknowledged."

The result is, that out of 131 unions in Ireland, there are twenty, and (as the Committee expect) not more than twenty, to whom some external aid would be required. In considering this subject, as I stated on a former occasion, we must never keep out of sight the effects of the great failure of that food which has been the staple of the country. It is impossible to consider these unions as existing in the state in which they existed in the years 1836 and 1837, when the Poor Law Commissioners made their report. At that time, however wretched might have appeared the condition of so many of the inhabitants of Ireland, living, as they were found, in mud cabins, with only one room—if it could be called a room—however wretched their situation might have been in these years, still it had been altered greatly for the worse by the deprivation of the people of that food upon which their subsistence depended. For Parliament could never expect that they could have ever received, in the course of the intervening years, such wages as would enable them to live, however hardly or scantily, without being still dependent upon the produce of the little patch of potato-ground adjoining the miserable cabins they inhabited. Sir, in the last year we have seen repeated, and repeated in an aggravated shape, those calamities which at various times have afflicted Ireland. A similar visitation afflicted Ireland about the middle of the last century, and also again in 1822, when very great relief was afforded by Parliament. The question, therefore, now comes to be, whether this relief shall, in any shape, be continued, or whether Parliament will think it wise to make no provision whatever for the relief of the Irish people; whether it will allow these unions and their impoverished inmates to take the miserable chance they may have of surviving until the next harvest, without making any effort whatever for their relief. In considering this subject, the House of Commons has judged, and I think very naturally judged, that the exertions made during the last few years, by the people of this country and by the Imperial Parliament out of the national revenues, have been of a great and very extraordinary character. I do not wish to speak of the mode in which the relief has been given, or to discuss again the methods by which it was bestowed. But, then, hon. Gentlemen say that nothing was done except to feed the people. I think, were it even so, that that is doing a great deal. Yet I must also remind the House of the fact that there have been very great exertions made by Parliament, in order to stimulate industry in Ireland, and place her in a better position than she would otherwise stand in. I hold in my hand a general estimate of the different grants of sums to be expended upon works of a reproductive nature that had been made in the years 1846, 1847, and 1848, respectively:—

> "The advances on the land, under the Land Labour Act, were nearly 500,000*l.*; the sums advanced for land improvements and drainage in what was called Labouchere's letter, were 200,000*l.*; the extraordinary advances for arterial drainage, &c., 370,000*l.*; the grant for navigation connected with drainage, 100,000*l.*; the improvements connected with the navigation of the river Shannon, 123,000*l.*; ordinary Board of Works loan fund, 180,000*l.*; grants and loans for the erection of piers and harbours, 100,000*l.*; advances for railways, 620,000*l.*"

So that not less than 2,193,000*l.* had been advanced in the three years, for what are called works of a reproductive character. And be it remembered that, although 500,000*l.* has been advanced under the Lands Improvement Act, there yet remain one million that has been applied for, and which will be drawn from time to time for works of reclamation and drainage, as authorised by the Act, making altogether 3,193,000*l.* I think with that statement it cannot be said that the Government had altogether neglected works of a reproductive character, or that the whole of the money given has been entirely consumed in purposes of mere charity. Again, I always maintain that, in a season of such great and overwhelming calamity, when there is no power adequate to enable the people to maintain themselves without help—to feed the people is really the primary and main purpose of such relief. Sir, having made these efforts, we proposed at the commencement of the present Session, in continuance of the grants that were made last year, that the further sum of 50,000*l.* should be voted to meet the pressing necessities of a number of the more destitute unions in Ireland. It was stated in this House, and stated, I admit, with great force, that already much has been done—that very large grants have already been made—and that if it was right to continue this system in any way, it was also right that Ireland generally should be called upon to contribute towards that fund. Now, Sir, in looking at the burden of the poor-law, I certainly find, that with regard to many parts of Ireland no greater burden, if indeed one so great, is borne by these parts as is imposed upon many parts of England. I find, for instance, looking at the county of Antrim— [The noble Lord here quoted a statistical document, which stated, that in the county of Antrim, the average amount of the poor-rate last year, in different unions, was 1*s.* 2*d.*, 1*s.* 10*d.*, and 1*s.* 7¾*d.* In some of the unions of Armagh, the rate was 1*s.* 4¾*d.*, 3*s.* 4*d.*, and 2*s.* 10*d.* In Fermanagh, it had been 2*s.* 5¾*d.*, 3*s.* 1½*d.*, and 2*s.* 8*d.* In county Down, it averaged 1*s.* 3*d.* or 1*s.* 4*d.* in many of the unions; in various unions in Londonderry it averaged 1*s.* 3*d.*, 1*s.* 4*d.*, 1*s.* 6½*d.*, 1*s.* 6¾*d.*, and the like. With regard to several counties in Leinster, the rate last year averaged a similar amount of charge. In Kildare, in one union it was 2*s.*, in another 7¾*d.*, and in another 1*s.* 6¼*d.* In county Meath the sum was 1*s.* 2¼*d.* in one union, in another 2*s.* 1¾*d.*, in another 1*s.* 10¼*d.*, and so on with the rest.] These are sums that appear to have been paid under the poor-law in several parts of Ireland; so that it cannot be said, with regard to these districts, that they have been entirely sunk and destroyed and ruined by the poor-law. On the contrary, it does appear that, comparing them with many parts of England, they are less burdened than a good many parishes in Wiltshire, Sussex, and other parts of this country. It does not, therefore, seem impossible that they could bear some additional burden for the sake of those distressed unions to which I have alluded. When I propose, however, that there should be a rate in aid to be collected in Ireland generally, for the sake of the support of these distressed districts, I have been met by the argument, that this being a local burden, there is no more obligation on the county of Down than on the county of Middlesex to support the poor in Mayo or in Sligo. I have been met with the argument that it would be quite as just to impose an additional poor-rate in Lancashire for the purposes of Norfolk, as to make one of the counties of Ulster pay for the purposes of the West of Ireland. Now, there would be much that is just and fair in this argument, if it could be said that Ireland altogether was taxed to an equal amount with England—that she paid and contributed in the same degree, in proportion to her wealth, to all the taxes to which Great Britain is subject. But it was put forward, and with great emphasis, by the hon. Gentleman the Member for Northamptonshire, when we proposed a former grant, that there are taxes to a very large amount payable in this country that are not paid in Ireland at all. The hon. Gentleman stated the amount to be 11,000,000*l.*, but I have here a statement that makes his calculations to be considerably under the mark. It appears that we pay in this country 5,300,000*l.* of an income tax, 1,150,000*l.* land tax, and 3,400,000*l.* assessed taxes; making together, of direct taxes alone, 9,850,000*l.*; and the excise taxes, in bricks for houses, soap, &c., reach 2,300,000*l.* more; making altogether 12,150,000*l.* of taxes, from which Ireland is altogether exempted. Now, I think it is but just to say, that if there is an additional taxation of upwards of 12,000,000*l.* upon this country alone, this alters the case entirely with regard to local taxation, which we wish to impose for the western districts of Ireland. I find Gentlemen saying—and saying very readily at the present moment—"Impose on us the same taxation as you have in this country—impose exactly the same taxes upon us, too, and then take from the Imperial Treasury anything that you wish." This, I know, has been very readily said; but, I think, if we were to come to propose, not only the income tax and the assessed taxes—if we said that, instead of 300,000*l.*, we shall charge Ireland with 1,000,000*l.* of additional taxation—if, instead of proposing 6*d.*, we were to propose something like 1*s.*, or even 1*s.* 6*d.* in the pound—if we were to do this, then, I think, we should find that hon. Gentlemen belonging to Ireland would very materially change their minds upon the subject; and, having made that profession of their readiness to accept the burden of the income and other taxes, in order to get rid of the present proposal, to which they entertain strong objections, they would, I doubt not, with twice as much obstinacy and fierceness, stand out against that proposal which they say we ought to make in preference to the present one. But now, even with regard to the income tax alone, there is 7*d.* in the pound to be paid. And with regard to this 6*d.* in the pound, which I propose to ask, the tenant and occupier will escape from one-half of it; because, being for the support of the poor, the landlord would bear one-half of the additional rate, supposing the rent to remain the same as before. But if we were to subject the tenant to the income-tax, we would take 7*d.* in the pound from all the tenants with more than 150*l.* a year; and thus we would subject these persons to, at least, a deduction of 7*d.* in the pound from their incomes, instead of the 3*d.* in the pound we now propose to demand from them in the shape of a poor-rate in aid. But, Sir, with regard to this measure itself, I certainly have no peculiar fondness for this mode of rating, rather than for any other; but I believe, if we were to withdraw this proposition, and substitute the income tax in its place, that we should find, only in another shape, the same objections as those which are now offered to a charge in Ireland for relief in Ireland; and the same argument, that the Imperial Exchequer ought to be made answerable, and not the people of Ireland alone, would be encountered equally in the one case as in the other. But, Sir, the objections go further than this; and we were told last night, that it is a mere matter of feeling, affecting even the loyalty of the loyal province of Ulster; but I don't think that those who represent Ulster, and represent her truly, will assert that her loyalty could be impared by such a proposition. I can well understand, if it were a question of right—like that for which Hampden resisted, and patriots resisted at other times—that 6*d.*, or 3*d.*, or 1*s.* might be to them as much as the largest sum, and that they would be ready to stake their existence against that sum; but it is no question of right. Every one acknowledges the right of the Imperial Parliament to tax Ireland as well as England. All that the Imperial Parliament has done has been to tax Great Britain; but it has not taxed Ireland, although nobody denies that it would be competent to Parliament to impose the income tax or the assessed taxes on Ireland at any time that they thought necessary. And then, not being a matter of right, I say I cannot believe that the loyalty of Ulster is of that nature that it will be impaired by the imposition of a tax of this kind for the relief of persons who are destitute and suffering the extremity of hunger. I believe their loyalty is founded upon attachment to the Throne and to the institutions of the country. I believe it is founded upon sympathy with the religion of this country, and upon the memory of the many dangers and the many victories in which they have been associated together. I cannot think that their loyalty can be impaired, still less turned into disaffection, because a rate of this nature is imposed, and because they are asked to bear some part of a burden which for years together Great Britain has borne without complaint. But, Sir, I am told that this measure is likely to lead to a permanent charge upon the income of Ireland, and that a rate in aid—a perpetual rate in aid—will be the consequence of the proposal. Now, let us look to what is the actual situation of that country. We have twenty unions now either in, or likely to be in, a state of very great distress. But there is no reason, that I know, why that distress should be one of continuance for many years longer. My expectation is, that one of two things must infallibly happen: either you will find, that on the return of good and plentiful harvests there will be sufficient food and employment for the people in those districts, or that there will be such a change of culture and such an employment of capital in those districts, that the people may be placed in a state of comparative comfort; and then you are relieved from the burden in that manner. Or else you will find that the people, seeing that they have no prospect of the restoration of the food upon which they depended, will migrate to other districts. They will migrate to other parts of Ireland; they will migrate to Scotland; they will migrate to England, and to the North American and Australian colonies, and to the United States of America. That is what I find they have done to a great extent within the last three years. It is not without example that great calamities have befallen the people in consequence of failure either of their occupations or of the other means of life. Not many years ago there was a great population maintained in some of the western islands of Scotland by the gathering of sea-weed for the manufacture of kelp; but in consequence of the discovery of certain chemical preparations those people were deprived of their means of subsistence. Their means of subsistence have not been restored, and great misery was endured by them. But there is no longer—there could not be any longer—that population continuing in the western islands without the means by which they formerly subsisted. So, likewise, I find, in several towns in this country and on the Continent, that various branches of manufactures subsisted and flourished for a time, but that those branches of manufacture having deserted the places in which they were established, great misery has been endured for a certain period; but afterwards I find that those people have migrated to other districts, where the same employment, or some other employment, was found for them, and the calamity left no trace behind it. So I believe it will be with respect to this calamity, which is affecting some of the southern and western districts of Ireland. The livelihood of the population entirely rested upon the culture of the potato, and that food having failed, unless that food comes back, and they find the same mode of subsistence they hitherto had, you will find that other districts will have not the burden of their subsistence, but they will have the benefit of their employment. I have now stated the reasons on which I ground the proposition I have to make to the House. I believe, if you agree to this proposition, that we will then be entitled (after the consent of the House has been obtained, if we find it necessary, from the accounts of increasing destitution) to ask, and will be justified in asking, some advance from this House before the rate could be collected by which we could supply the more immediate wants of the people. At all events, I think it is the duty of the Government to lay the case before the House of Commons, and ask the House of Commons whether they are ready to consent to the means by which we propose to meet this case of misery and wretchedness. It is our duty to inquire whether the House of Commons—if they do not take our means—consider there are other means that ought to be adopted in preference; or whether, lastly, it will be the deliberate will and sentence of the House of Commons that no attempt shall be made to relieve the exigencies of Ireland. The hon. Baronet who spoke last night, and resisted the Speaker leaving the chair, seemed at least to take that view of the Motion. For my part, I own I cannot take it. I own, although we should limit our aid, although you should take care that it should be spent as frugally and as economically as possible, yet, considering the whole social state of Ireland, considering that Ireland is undergoing a great transition, that you may save some of the misery, and that you may save many of the deaths that are the consequences of that transition, by interposing with relief of this kind, I confidently ask for your assent to this resolution.

MR. A. STAFFORD said, that he laboured under great difficulties in addressing the House upon the present occasion; but he had laboured under greater difficulty two years ago, when he had announced what would be the result of the present Irish poor-law, for experience had not then confirmed, as it had since completely confirmed, the statements which he had made. One principle which he had ever advocated with regard to Ireland, and which had guided his conduct under very difficult and trying circumstances, was, that whatever they did with regard to financial matters in Ireland, they must never be led away either by short-sighted pity and mistaken charity on the one hand, or a peevish reaction on the other, to neglect that just principle the non-existence of which in Ireland was the cause of all her social, and many of her political evils. He alluded, he was sorry to say for the twentieth or thirtieth time, to the great principle of self-dependence. The maintenance of that principle had compelled him, at the risk of severing party ties, to which he felt a strong attachment, to refuse to his lamented Friend Lord G. Bentinck his support when he, at the head of a united party—united save in very few instances—brought forward his plan for the construction of Irish railroads. That plan was extremely popular in the district of Ireland with which he himself was connected, and was a great favourite with his lamented Friend who brought it forward. It was advocated and supported by all the leading Members of the party with whom he had acted and still continued to act; but still he felt so strongly the necessity of drawing no financial distinctions between England and Ireland, or by illusory promises or fallacious representations interfering with the great principle of self-dependence, that he was wholly unable to agree with Lord G. Bentinck on that occasion. So whenever the noble Lord at the head of the present Government, or his right hon. Friend the late Chancellor of the Exchequer, had felt it their duty to resist the extension of the income tax to Ireland, on no such occasion had he given them his support. On the same principle he had urged the necessity of coupling with the 50,000*l.* grant a notice to the part of the country for which it was asked, and the public at large, that the system could not go on. He felt that these details would be of no importance did they not entitle him to claim the attention of the House whilst he showed them how in justice to his own constituents, and in obedience to the dictates of his own conscience, he was obliged to vote last night against the Speaker leaving the chair, and why he should also feel called upon at every stage of the Bill, whenever a division should take place, to record his vote in direct and earnest opposition to it. The noble Lord the Chief Minister of the Crown had referred to the course pursued by the Government during the present Session. It was a matter of difficulty at the first meeting of Parliament to elicit from the Members of the Government that they had any plan at all. His own conviction was, that when they first met Parliament, they had absolutely none. The right hon. Secretary for Ireland, who rose after he (Mr. Stafford) had put the question, did not so much as allude to it. Subsequently the right hon. Secretary for the Home Department stated that the Government was determined to adhere to the main principles of the present poor-law.

Sir G. GREY: The hon. Member put a question to me on one particular point, and on that I answered him plainly and distinctly; but I did not go into the general question.

Mr. STAFFORD: Yes, the right hon. Gentleman stated that, as regarded the principle of outdoor relief, Ministers were not prepared to abandon it. Then came the appointment of the Committee, before which the noble Lord at the head of the Government was to submit certain leading proposals, and put them in the form of resolutions, to be submitted to a Committee. The order of reference, under which the Committee on the Irish Poor Law was appointed, was without precedent in the annals of that House, so that it had at least the merit of perfect novelty. When that Committee met, the noble Lord at the head of the Government stated it to be his intention to resist the taking of evidence, if not with regard to the third and fourth resolutions, at all events with regard to the first. Some hon. Members ventured to propose that evidence should be taken, and thought themselves justified in resisting the proposition of the Prime Minister, by citing an authority still higher than that of the noble Lord, namely, that of Her Majesty's Speech from the Throne, in which they were told, "that the operation of the laws for the relief of the poor in Ireland, would probably be the subject of their inquiry." And yet what was the course pursued by the noble Lord? He commenced proceedings by resisting all inquiry, by calling upon them, inasmuch as it was an Irish Committee, to pronounce before inquiring. Some, however, who had become habituated to English usages, ventured to suggest that it would be more respectful to Her Majesty's Speech to adhere to the old fashion, and allow inquiry to precede judgment. The noble Lord, however, was inexorable, and compelled them to decide at once upon the 6*d*. rate, and report the resolution to the House; and it was that resolution alone, and not all the suggestions with which the noble Lord had now garnished his proposal, that they had now to discuss. In discussing this subject, he (Mr. Stafford) must be permitted to say that he did not address himself to those hon. Members whom he had seen last night taking part in the cry that the property of Ireland should support the poverty of Ireland; and who, without waiting to understand its meaning, repeated it so loudly to themselves as to drown the voice of all justice and all reason within them. There were, however, he felt certain, a great number in that House who would permit him, with great deference, though at the same time with great earnestness, to analyse that cry. The noble Lord had stated that distress in particular districts arising from local circumstances was not a thing wholly unprecedented, and cited a case which had happened in this island, where, by the introduction of barilla, the lucrative cultivation of kelp was put an end to, by which means the population employed in it would have been reduced to great distress, had they not addressed themselves to other employments. He apprehended, however, that Gentlemen possessing greater local cognisance of that district than the noble Lord, would tell him that the distress there had not, as he sanguinely expected, wholly vanished. The noble Lord had also referred to cases of local distress in different parts of Europe, and cited them as precedents for the state of Connaught at the present moment. His illustrations, however, proved fatal to his argument; for although distress existed, still in the case referred to by the noble Lord there was no relief in aid. The noble Lord had stated the manner in which he hoped to see the distress which existed in Connaught mitigated. He expected that either the crops would come back, or the people would go away. For his own part, he confessed, he thought the latter by far the more probable alternative. If they asked Manchester and Liverpool, they would probably find that it had already, to a great extent, come to pass. But how they were to emigrate to North America or any of our colonies without means at their disposal, the noble Lord did not state, neither did he state that any part of the sum to be raised by this rate in aid was to be applied to purposes of emigration. He confessed, however, his belief that if the present system continued, a large diminution would take place in the population of those districts. Not that they would emigrate to North America, but some of them would emigrate to England, and some would be, "where the weary are at rest." Now let the noble Lord consider this, and let some Minister of the Crown remedy the Prime Minister's omission. He wanted to know, too, what amount of money he expected this 6*d*. rate to raise, what amount of destitution they expected to be called on to relieve, and what amount of resources they believed to exist in these localities. In order to assist them in arriving at some conclusion on these points, he would refer the Government to their own paper laid on the table of that House, in which it was stated that in the twenty-one unions which were in a state of more particular distress, the debts and probable expenditure would amount to 592,000*l*. The noble Lord, in stating that it would be better for Ireland to have this than the income tax, did casually let drop his estimate of the sum which he expected to levy by means of this rate. The noble Lord would correct him if he was in error, but he understood him to estimate it at 300,000*l*., which would still leave 292,000*l*. to be provided for. Suppose that, contrary to the predictions of all the Government officers in the distressed districts—contrary to all the anticipations and predictions of every Member connected with them, of whatever politics he might be—the distress should not increase during the year upon which they were entering, still he trusted that the financial part of this matter would be dealt with by his right hon. Friend the Chancellor of the Exchequer, and that hon. Members whom he saw opposite, men of business, would also address themselves to it as an important and essential part of the question. That Irish property should support Irish poverty, was, as he had said before, so to speak, the cry that would carry this measure. The proposition of the noble Lord, however, did not go to realise that idea. Let Irish property support Irish poverty, said hon. Members on the other side of the House. Be it so, said he (Mr. Stafford), at least, on that side of the House; and here, he must remark, that to contrast the sentiments of one Irish Member with another, and sneer at their differences, might afford opportunities for clever and showy exhibition, and elicit a passing cheer in that House, but it was not the way in which the difficulties of Ireland ought to be met. It was not the plan of wise statesmen, though it might be the shift of practised debaters, who concealed executive imbecility by showy phrases. Convinced that any measure passed nominally for Ireland must immediately as well as perpetually react on England, they wished to see men in power who, listening attentively to all the statements as well of those representing Irish constituencies, as those connected by property with Ireland, knew how to extract the real facts of the case out of the conflicting statements placed before them. The objection which he entertained to the plan of the Government was, that, in the first place, it was unjust; next, that it was difficult of execution; and, thirdly, that if it were not unjust and difficult of execution, still it would fail of its purposed object. He apprehended hon. Members would concede this much, that although it was desirable that Ireland should not come any longer to England as a beggar, there might be means of raising money in Ireland so unjust and so oppressive, that by far the greater majority of the House would refuse to lend themselves to such a proposition. He would take the case of the Church property in Ireland. He believed that if at that moment the present or any other Government had come forward and proposed that the fee-simple of the Irish Church property should be sold in order to meet the immediate destitution of the country, and the proceeds at once paid into the hands of the Poor Law Commissioners, for distribution in the distressed unions of Connaught and Munster, very few would have lent themselves to such a proposition. Nor could they have supported a proposal to sell all the property belonging to the London companies in the north of Ireland, and devote the proceeds to a like purpose. There were also purposes to which the House would not sanction the application of the funds which might be raised. Borrowing a hint from the noble Lord, what, he asked, would have been the feelings of the House if they were told that the whole of the fund was to be paid to the Emigration Commissioners for the purpose of transporting the whole of Connaught to the West Riding of Yorkshire? And yet the means by which the funds were to be raised now, and the purposes to which they were to be applied, were nearly as unjust. The right hon. the Chancellor of the Exchequer had felt it his duty last year to resist the extension of the income tax to Ireland. Ireland, he said, was only just emerging from a season of great calamity. Resorting to the *ad misericordiam* argument, he said, "Do not press hardly on a stricken land, or lay a heavy hand on those who were only just rising above water. But the time may come when Ireland will be more prosperous, and then under more favourable circumstances, perhaps, it will be my duty, as Chancellor of the Exchequer, should I hold that office, to propose an extension of the income tax to Ireland, where common feelings of humanity and pity prohibited me from imposing it now." Now, he trusted that the right hon. Baronet would explain the peculiar circumstances of Irish prosperity and the peculiar sunshine of affluence and wealth which induced him now to retract his opinion, and not merely harden his heart, but select that peculiar kind of property in Ireland which was the most oppressed, and had been the most unfortunate? Let Irish property support Irish poverty, cried hon. Members in that House, and the voice of the public out of doors too, he was bound to admit. No, said the noble Lord, not quite; but let a rate in aid be levied only on rateable property, of that kind which was most oppressed, which had been the most taxed, and which had just been brought down to absolute prostration. The noble Lord had said, that if he had proposed to extend the income tax to Ireland, the proposition would have met with great resistance; but what he (Mr. Stafford) complained of, and which he protested against, was, that the noble Lord had never given Ireland that alternative. Let not the noble Lord, therefore, stand up to say, that the people of Ireland resisted an equality of taxation. He had never given them an opportunity of pronouncing an opinion. [An Hon. MEMBER: Yes, last year it was suggested.] Last year? Why, the suggestion was a very different thing from an alternative. If the hon. Member was asked if he would give a sovereign, he would, doubtless, say "no;" but if he got the alternative of whether he should give one or two, it would be easy to say what his decision would be. If the noble Lord had asked the people of England if they were disposed to agree to an income tax, and if he had appealed to hon. Members in that House, he felt satisfied that few indeed would be found to vote in its favour. But when the alternative was given them in a proper and statesmanlike manner—when they pointed out, as guardians of the public purse and the Ministers of a great people, that it was indispensable that an income or some other still more oppressive tax should be imposed—that was what he called giving them the fair and manly alternative. The right hon. Baronet the late Prime Minister had said to the House of Commons, "You had better let me take off so many import and excise duties, and allow me to lay on an income tax of 3 per cent in lieu of it." He (Mr. Stafford) was not going to say, then, whether that proposition was right or wrong; but at all events he gave the House of Commons and the people the alternative. Now, when the noble Lord and his Colleagues had determined that a rate in aid should be extended all over Ireland, he must say, that it would have been treating Ireland better, and that it would have been more fair to that House, if he had at least offered to the Irish people the alternative of an equality of taxation. He had no business to anticipate what the answer of Ireland would be, not being an Irish representative: but he must again strongly urge and insist upon the absolute advantage to Ireland of giving to her, instead of this measure, an equality of taxation. Let the noble Lord remember, that not having done that, he had armed against him many who, although willing to pay a fair portion of the burden of taxation, shrunk from the injustice and hardship of the present proposition, and had induced them to join with the men who resisted all taxation. He thought it would have been much wiser and better to have kept these two classes distinct. Look how much more judiciously and fairly the income tax would deal with the frieze-coated farmers in that country. If they had an income tax in Ireland on the same footing as in England, all farmers who paid less than 300*l.* per annum were exempt from its operation. But under the proposition of the noble Lord, all those farmers, down to those who paid only 4*l.* per annum rent, would be liable to the rate, and why had not those men got the alternative? Why had such a measure been proposed without some intimation to the country? There had been no mention of it in Her Majesty's Speech—there had been no submitting of it to that House; but the noble Lord took it to a Committee upstairs—a Committee of their own selection

—and then it came down to them with the recommendation of the said Committee. Why should they, on the one hand, refuse the offer of the alternative te Ireland, and on the other, why should they depart from the bold and manly course of bringing it forward as a Government measure, and permitting the representatives of the Irish people to pronounce an opinion upon it? The consequence of this management was, that all was doubt and confusion as to what were the intentions of the Government, and what were the decisions of the Committee. Why, even worse rumours than the 6*d.* rate in aid were abroad, and with them was the assumption more or less well founded that the Government was not playing a fair or constitutional part; so that no opportunity would be afforded Ireland of declaring her wishes on the occasion. Under these circumstances, he must blame the Government strongly, and censure them heartily, for the conduct they had pursued. He blamed them for not separating those who wished to pay a fair share of the taxation from those who refused to pay at all. The noble Lord had alluded to the loyalty of the people of Ulster, and had referred to the rather mirthful allusions of the previous evening of the people of that province abandoning their loyal principles on account of the rate in aid. Following up what had been said by the hon. Member for Downpatrick of the intention of certain magistrates in his part of the country to resign, the hon. Member for Dublin had spoken of a sixpenny loyalty; but he (Mr. Stafford) could not help regretting that so much mirth had been exhibited on such a subject. The Government might depend on it that they were dealing with a question which was no longer a laughing matter, and they would find that the 6*d.* rate in aid was no joke. He would just ask those who had indulged in so much mirth respecting the province of Ulster—he would ask the Government whether, if they had a choice, they would not rather have Ireland four Ulsters than four Connaughts? He thought there could be but one reply to that. He agreed with his noble Friend (Viscount Castlereagh), that while the loyalty and attachment of the people of Ulster to the British Throne had never yet been shaken, there was nothing so well calculated to shake them as proceedings like the present. He thought there had been shown towards them a system of unfair dealing, a disregard of public feeling, and an absence of all acknowledgment of the difficulties they had successfully struggled with, and the firmness with which they had maintained their loyalty in the worst of times; and he was satisfied that the measure now proposed by the noble Lord would go but a little way in conciliating the people of Ulster towards that House or the country. He thoroughly agreed with his noble Friend in the observations he had made in reference to that point. Having stated why he considered it unjust and unfair in the noble Lord not to have given the alternative of an income tax to the people of Ireland—having shown that the imposition of a rate in aid like the present, upon a species of property that was in a most depressed state, was manifestly unjust, he came now to the consideration of the application of the money. And here he would say, that one great reason for proposing an equality of taxation between Ireland and that country was this—that if Ireland was at the present moment on an equality with England, no hon. Member in that House would refuse, in the severity of her distress, to advance to Ireland as much money from the Imperial Treasury as would enable her to encounter that emergency. They would then feel that they were voting money from the national funds under the scrutiny of the representatives of the people. The noble Lord now proposed a general rate to be raised by local machinery, and distributed by local officers. He thought such a proceeding decidedly objectionable. There could be no check upon profuse expenditure, and no restraint upon jobbing. There could be no check upon the expenditure, and there could be no strict scrutiny unless the money was paid from the Imperial Exchequer. He was anxious that every Englishman should be enlisted on the side of Irish economy, and no method could be so successful for that purpose as to have all pecuniary grants coming from the Imperial Treasury. But he must observe, that he did not wish a farthing to come from it, unless they were both similarly and fairly placed in reference to taxation. The noble Lord who had brought forward the proposition had stated, that some of the alterations with respect to the operation of the poor-laws, he would submit to the House, and not to the Committee. [Lord J. RUSSELL: No, no!] Then was it intended that they should come before the Committee? [Lord J. RUSSELL: No!] Then the noble Lord did not say that he was going to bring forward anything to the House that would not be brought before the Committee: nor, on the other hand, that he would bring anything before the Committee which he would not bring before the House. Then it was evidently his purpose, and that of Her Majesty's Government, to conceal the object they had in view. He thought there had already been quite enough ambiguity and concealment on the subject of the poor-laws. The noble Lord had said, that the small area rating had tended to effect clearances. But he must say that such observations showed a great absence of knowledge of the details of the present poor-law with regard to the area of taxation. The noble Lord had stated that the electoral divisions would be "reconsidered," and that, he presumed, was to be taken as a kind of a soft word for "diminished;" just as the right hon. Baronet the Member for Tamworth, in referring to the repeal of the corn laws, spoke of "adjusting" them. Take, for instance, an electoral division of 300 acres, belonging to three proprietors, and the charge for a pauper to be 1*s*. If the electoral division be reduced to 100 acres, one proprietor would have to pay the whole 1*s*.; if reduced to 150 acres, that was 100 acres of his property and 50 of his neighbour's, each would have to pay 6*d*.; but if the charge was divided over the whole division of 300 acres, then every one of the three proprietors would have to pay 4*d*. each for every pauper that was ejected. So that if the boundaries of property were coterminous with property, in the one case he would have to pay 1*s*., and in the other, with a larger area, he would have to pay 4*d*. for every pauper turned off. During the last week that he was in Ireland he had two rather unpleasant duties to perform. A noble neighbour of his turned off 30 or 40 families one morning; he (Mr. Stafford) assisted in preserving the peace of the country at that part where the poor creatures were turned into the road; and the next day, as chairman of the board of guardians, he had to sign an order for their maintenance on himself. The noble Lord had promised the House that these electoral divisions would be reconsidered or adjusted. Why, the arranging of the area of those electoral divisions was a matter of very peculiar importance. The experiment of large electoral districts had been already tried in Connaught: that province had been made the *corpus vile* on which the experiment might best be tried, and the result had been that the country had been ruined. The other provinces, then, might fairly object to the same system being applied to them. The great object should be to make the poor-law in Ireland the means of relieving destitution, and stimulating the people to employment. In a country where population and property were so dissimilar, they must make different arrangements from those which prevailed in England; and they must, above all, endeavour to arrange so that the poor-rate should be paid out of income instead of capital. In the north of Ireland he believed it had been found that the electoral divisions, being coterminous with property, were a stimulus to the employment of the labouring population, and the plan of small divisions had there worked well. Suffice it to say that, by the operation of the law—a law which had been seventeen months in operation—one province had been laid desolate, and in that one the electoral divisions were the largest. Hon. Members not acquainted with Ireland could have no idea what glass houses they lived in there. The press of that country was what might be called of an anti-landlord character; but he was bound to say he believed that there was no locality in which the character of the landlords was not minutely known to the Earl of Clarendon. Now, what he drew from this statement was this question, which he wished to ask the right hon. Secretary for Ireland—he asked him to say, out of all the suggestions for alterations and remedies in respect to the poor-law which had been made to him during the last autumn and winter, what was the one most generally asked for by those whom he must admit were deserving of his best consideration? Would not the right hon. Gentleman tell him that, apart from any difference in respect to politics or religion, what was asked for most earnestly, and pressed most zealously on his attention, by men of all creeds and parties, was a reconsideration and revision of the area of taxation in Ireland? They spoke of the Irish poor-law as if it were the same as the English poor-law. This was, however, a mere jingle of words. They had certainly applied all the difficulties of the English poor-law to Ireland, but some of the great advantages they had refused. In respect to one of these advantages, Malthus and Ricardo had both declared that had it not been for the smallness of the parishes in this country, the English poor-law never would have worked well in England. The small area was the great advantage which the English poor-law had over the Irish. The other great difference was this—the whole of the rating under the English poor-law falls upon the occupier. In Ireland, however, two-thirds, or often the whole, rate falls upon the landlord. If they intended to give them the English poor-law, they ought also to give them the English area of taxation. He wished the noble Lord at the head of the Government to understand the definite proposition which he now made, and which he believed would be acceptable to a large body of Irish gentlemen. He asked the noble Lord to direct the Boundary Commissioners to assimilate as much as possible the size of the Irish electoral divisions to the size of the English parishes, so that they should never be considerably above 2,000 acres, or much below 1,000 acres. He thought that that was the fair and just decision to arrive at, and it should form the animus of these Commissioners in their arrangement. Unless they acted thus, all the arrangements for the relief of destitution would but increase pauperism, and diminish the stimulus to exertion. Without some such arrangement as this, he was convinced that any Bill for the sale of encumbered estates would be found utterly useless. No person would purchase property in an electoral division of 10,000 or 17,000 acres, where he could not have the slightest idea of what his capital would return. In smaller districts he might be able to form some opinion as to the returns he might expect. The effect of this alteration would not be, as had been stated, to check the sale of properties, but rather to diminish their value. Persons would not be driven altogether from entertaining the idea of purchasing, as they now were, in consequence of not knowing the return for their capital. When speaking upon this subject, he was reminded of an extract which he had read from a newspaper some time ago. This related to a soldier in India who was going to Hyderabad, but who lost all the camels which he had charge of on his journey. On being asked how this happened, he said, that before setting out, these camels were all loaded with burdens, and when one of them died, the burden which he had borne was put upon the other, consequently they all died from the additional weight that was put upon them. In the same manner they were now loading the improving landlord with all the burden of the one that had been knocked down. They could not bring the latter to life, but they might also kill the former. He hoped the House would not confound the question of the electoral divisions with that of the unions. The Boundary Commissioners were, however, labouring sedulously to mix up these two questions together. If they had every electoral division a union, the stimulus to employment would not be increased, for the badly-disposed would be enabled to exercise their influence over the good in the same way as now. Wherever they had a new union they had a new master, new chaplains, and a whole staff of official appointments. The question of new unions, therefore, addressed itself to a class of persons that were particularly alive to those facts. He asked the right hon. Gentleman the Chancellor of the Exchequer where the money was to come from for these new unions? They were arming the Commissioners with too much power in this respect. He trusted that the Government would take care, in whatever arrangements they made with the Boundary Commissioners, that they would not give them the power of separating the unions except upon the expressed wish of the majority of the boards of those unions. The question of these poor-law arrangements was urgent and imminent. If they let the seed-time go by without them, they would have more misery in Connaught than they had there in 1847. The Irish Poor Law Committee had reported the evidence of a Mr. Griffin upon the subject of valuations. With regard to the question of the 6*d.* rate in aid, Mr. Griffin, in his evidence, sought to show that the imposition would be unjust, because it would be unequal. The Government imagined that they were about to impose a sixpenny rate; but the valuation was so arbitrary that this rate would vary from sixpence to two shillings. The equality of the rate depended entirely on the equality of the valuation; and if hon. Members found that the valuation was unequal, he trusted that their conviction in the justice of the rate would be materially shaken. He hoped, therefore, that Members connected with England, who knew nothing of the valuation of Ireland, would reserve their final opinion on the merits of this scheme until they had read the evidence on this subject which had been laid on the table. The Government taunted them with not having brought forward some plan of their own. He, however, had suggested one—namely, equality of taxation, smaller areas, and some other amendments of the poor-law, which, though not of very pressing importance, were still of extreme urgency. He would say that if ever a Government was called upon to propose a comprehensive plan, it was the present Government. He did not charge them with being actuated by either good or bad principles in regard to Ireland, but he charged them with having no principle at all. He did not believe that a single arrangement had been agreed upon in regard to the poor-law in Ireland before the Parliament had met. He did not think that the Government had shown themselves a united family upon this subject, for there was discord and difference in the Cabinet. If ever there was a Connaught of a Government, wholly devoid of resources in itself, it was the present Government. Although he was disposed to resist the present proposition, yet, taking pity upon their great destitution, he had in the suggestions he had thrown out to them in this case, given them his rate in aid.

MR. J. O'CONNELL hoped the House would not suppose that the hon. Gentleman who had last addressed them had spoken for the whole of Ireland. In respect to the size of the electoral divisions, he thought that the hon. Member for Northamptonshire had altogether failed to meet the argument of the noble Lord so forcibly put against the project of reducing the area of taxation, which would be a premium to extermination. He was, however, sorry to see no appearance yet of Government taking a comprehensive view of the state of Ireland. The noble Lord had given them a melancholy prospect of the condition of that country—he said, that he saw but two alternatives before them; first, some process, the nature of which was not explained, by which the potato was to be restored, and the peasant would be enabled to consume better food; the other, that the people of Ireland were to be swept away by a wholesale system of emigration. He must say, that there was nothing statesmanlike in this view of the case. The system of planting Ireland anew had been tried three or four times already, and yet they were as far from a state of prosperity as ever. It appeared, however, that they were to add another dark item to the catalogue of miseries Ireland had suffered from this country. They were to have another extermination of the natives, in order to make room for the stranger. He did not wish to commit himself to a decided opposition to the measure of the Government, until he heard some better proposition made by hon. Members on this or the other side of the House. Several hon. Members had already addressed the House against the 6*d*. rate in aid, but had failed to put forward any better plan instead. It was not, he thought, becoming in hon. Gentlemen opposite to complain now of the policy that had been pursued by England towards Ireland, because up to the present moment those hon. Gentlemen had supported that policy, no matter how unjust it was towards Ireland, or how much it was complained of by the great body of the Irish people. He must also say, that he thought the part taken by English Gentlemen in these discussions was not creditable to them; and that where one portion of the empire was suffering great distress, there should be such difficulty made by those Gentlemen, and such unwillingness manifested by them, to advance public money for the saving of human life. For his own part, he could not bear to hear the taunts that were uttered, and the reproaches made, when assistance was required by a poor country from a rich country—that being, too, the same rich country that had taken from Ireland the management of her own affairs, and that would not permit Irishmen to deal with Ireland. And yet what was asked on the present occasion? He replied, but a small portion of what was due to Ireland by this country. It was under such circumstances that a grant of 50,000*l*. was wrung from the House—that it was given with insult, and that when given they were told that Ireland should be left to its own resources for the future. Irishmen had, he thought, done so small injury to their country by their admissions—admissions, too, that they made without inquiry—and which were to the effect that Ireland had leant too much upon England, when the fact was, instead of Ireland being, as it was supposed, exempted from her fair share of taxation, she had not obtained the full amount of exemption to which she was fairly entitled in accordance with the terms of the Union. He protested against its being said to Irishmen that they were "beggars." He replied, "We are not beggars—give us back our Parliament—give us back that Parliament which you deprived us of by fraud, by violence, by cruelty, by corruption, by the perpetration of every crime of which one nation can be guilty towards another—give us back the management of our own resources, and we will support all our own establishments, as in truth we do even now—but give us back our Parliament, and we shall neither ask for nor receive any aid further from you." Such, he said, was the language in which he would reply to those who told Irishmen that in the present condition of their country they were beggars. It had indeed been said, that Ireland should be put upon a level with England in point of taxation. This was the novel panacea for Ireland. He would tell those who suggested it that the experiment had been already tried and failed. In 1807, this country had tried to raise the taxes in Ireland from 4,000,000*l.* to 7,000,000*l.*; but in 1821, instead of there being an increase in the revenue, there was a decrease to the extent of half a million, so that sum was lost by the experiment. With this experience, he asked if this same experiment was to be tried over again? The assessed taxes in Ireland were taken off because they did not cover the cost of collection; and now, if they increased taxation, it would be found that whilst they did not benefit the revenue, they would only add to the misery of Ireland. With regard to the proposed rate in aid, he must confess that he scarcely knew what course to take. He knew, that in the present disposition of the House, the Government must have some pretext when asking that any aid should be given to Ireland. But he feared that what was proposed would destroy the poor ratepayer, who in these cases was always forgotten, though the result of the oversight was to multiply the number of paupers. The population of Ireland was little else than a community of landlords and poor tenants; a middle class could scarcely be said to exist; and, under such circumstances, the course proposed could not but operate injuriously. He supposed, that in the course of that evening he was likely to hear something of the proposition of an income tax in Ireland. If any such proposition were made, he would ask, what were the circumstances that would enable Ireland in 1849 to bear a burden which it was admitted it was unable to cope with in 1842, when the right hon. Baronet opposite (Sir R. Peel) proposed his income tax? He objected to an income tax upon principle—upon principle it was not right for Ireland to pay more taxes—in detail, because if once introduced, the small traders and business people in Ireland, the foundation of the middle classes, would be utterly crushed and broken in Ireland. The noble Lord had said that Ireland was not taxed in proportion to its resources. The right hon. Baronet the Member for Tamworth had calculated that the fiscal ability of Ireland, as compared with England, was as one to nine; and the fact was that, of all the taxation imposed upon the two countries, three-fourths of all those taxes were paid by Irishmen, and their exemption was but as one to four. The argument of the noble Lord, therefore, would not bear examination. Hon. Gentlemen were led astray by the fact that Ireland supplied only 4,000,000*l.*, while England supplied 36,000,000*l.* The produce of taxation was less only because the ability to consume was less. He did not deny that it might be considered a hardship to the people of Ulster that they should be called upon to pay this rate in aid; but the peculiar advantages which they had enjoyed had prepared them to sustain the burden. He thought it would be fair, at such a period, to raise a contribution from the church property in Ireland. The Church itself was the church of a small minority. In 1834, its members were calculated at seven or eight hundred thousand. He did not believe that the number now exceeded 700,000. Was it not monstrous that upwards of 600,000*l.* should be given annually to such a Church? Though he had no wish to interfere with vested rights, he thought the Government might fairly borrow money on the security of the property in the hands of the Ecclesiastical Commissioners, leaving it to be repaid out of the proceeds of lapsed benefices. Thus, 200,000*l.* might be readily raised. His next proposition was an absentee tax, as nothing could, he thought, be more fair or just than a tax on absentees. The House took no account of the amount of income tax — near 350,000*l.* per annum—paid by Irishmen who lived in England, and abroad, and who had money in the Funds. Was not Ireland to get credit for that money, which came out of the resources of Ireland? Were not the Crown rents in Ireland also to be taken into account? They amounted to 65,000*l.*, and on that, as a security, they might borrow half a million of money for the improvement of Ireland. But there were other monies also that Ireland ought to get credit for—namely, the customs duties paid on foreign goods, which were introduced into Ireland through

England. They amounted to between four and five hundred thousand pounds, and would furnish an adequate fund of themselves to meet all the exigencies of the present time, without imposing any new and vexatious taxes. If he were asked what his plan was for the amendment of the poor-law, he confessed he had none; for he never had faith in any poor-law, which, even in England, had not worked well. He wished to read to the House an extract from an address of the suffragan bishops of the archdiocese of Tuam, relative to this subject. It was as follows:—

> "Cottages levelled under the pretended sanction of law, and their inmates driven, in defiance of the Divine law, to perish in the ditches, as they are daily seen to do, numbers of them flocking to the poorhouses, in the hope of promised relief, and again repulsed under the plea of inadequate accommodation to receive, or means to support, them; the poorhouses themselves, in several instances, converted, through the bigotry of perverse officials, into occasions of sin, by the snares that are laid for the inmates, to inveigle their faith or corrupt their virtue; thousands resigned to die in silence and in patience, rather than encounter temptations so terrible. Such are the scenes that now present themselves throughout our province—such are the fruits of the inhumanity by which the poor have been so long treated, abandoned to the exclusive use of a precarious and failing esculent, and obliged to export, to the amount of some millions of pounds annually, the more substantial food, raised with their own industry, which would save them from perishing. Whilst the remedy applied by the Legislature is always expensive, often inhuman, and generally inadequate for procuring relief; and what is more deplorable, this remedy, so fraught with evil and danger to the morals of the rising generation, that it is by almost all classes of society dreaded as a curse rather than regarded as a blessing.
>
> "† JOHN, Archbishop of Tuam.
> † PATRICK M'NICHOLAS, Bishop of Achonry.
> † EDMOND, Bishop of Kilfenora and Kilmacduagh.
> † LAWRENCE O'DONNELL, Bishop of Galway.
> † JOHN DERRY, Bishop of Clonfert.
> † GEORGE, Bishop of Elphin.
> † THOMAS FENNY, Bishop of Killala."

The people of Ireland had never denied the private charity of individuals in England for the relief of the poor in Ireland; but what they complained of was, that, while with one hand they gave them a morsel of bread, with the other they gave them a blow—that while they gave them aid, they added the insult of calling them "beggars." The people of Ireland, he repeated, were grateful for the private charity of England, though much of it had been warped to the purposes of proselytism by those to whose hands it had been intrusted for distribution. With respect to the provisions of the poor-law itself, he trusted that in Committee some hon. Genman would move that the Gregory Clause, as it was called—the quarter-acre clause, which had been the instrument of so much tyranny—be struck out of the measure. The Government ought to pass a good landlord and tenant Bill. The security which the tenantry in the north of Ireland enjoyed was the cause of their industry, and of their comparative prosperity; and if the tenants in the south were equally circumstanced in their holdings, like advantages would result in their case too. Let them give up their wretched expedients and patchwork legislation, not merely for the sake of Ireland, but for that of the whole empire. If they did not, they would drag down England ultimately to the level of Ireland's present ruinous condition.

VISCOUNT BERNARD, in reference to the statement of the hon. Member for the city of Limerick that that (the Opposition) side of the House had made no proposal in lieu of that of the Government, would maintain that it was not their business to do so. He would beg to quote the words of the most eloquent of living men, conveying the sentiments of the most eloquent of departed orators:—"Some there are who seek to embarrass a speaker by asking, 'What shall we do?' To them I would give the answer, the most true and just that can be given—'Do anything but what you are now doing.'" What was true 3,000 years ago of the affairs of the Chersonesus, was not less true as applied to the affairs of Ireland. Let the Government just reverse its policy. They were told that Ireland was exempt from the income and assessed taxes; but because trades and professions in Dublin and other towns were exempt from such payments, were his constituents to be called on to pay this tax now proposed by the noble Lord at the head of the Government? Again, they were told that if they did not grant this rate, the people in the west of Ireland would starve; but if that were true, on whom did the responsibility rest? He held that the Executive Government was responsible for the lives of Her Majesty's subjects, and that they were not entitled to make the preservation of the people dependent upon the adoption by the House of this or any particular measure. The hon. Member for Limerick had proposed to confiscate a portion of the Church revenues for the support of the destitute unions; upon this principle we might have another appropriation clause, and any legislative injustice might be committed. If there was inequality of taxation between the two countries, let that inequality be remedied. If it was just that the income tax should be applied to Ireland, let that question stand upon its own merits, but do not on that ground bring forward a tax so objectionable in principle, and fraught with such dangerous consequences as this rate in aid. There were many reasons given by the right hon. Gentleman (Sir R. Peel) when he brought forward the income tax, why he did not impose it on Ireland, and the same reasons existed still. They were told that the taxes borne by England and not by Ireland amounted to 11,000,000*l.*; but he believed that if those taxes were imposed on Ireland, they would not realise 500,000*l.* He begged to call the attention of the House to the way in which property was burthened in Ireland by the repayment of the amount for which it was liable. The other day a Highway Bill was discussed in that House, in which it was proposed that a sum of 8,000,000*l.* should be charged on the county rates, and that a sinking fund should be created to pay it off by instalments, and the country Gentlemen opposed it, on the ground that the land was unable to pay it. If this was the case in England, what was the position of property in Ireland? They had to pay a debt of 3,700,000*l.* upon a rental of 13,000,000*l.* a year, and of that sum no small part had to be paid almost immediately. But he would ask the Government how were they to collect this rate in aid upon a defective valuation? In almost every union in Ireland, there was a different ratio of valuation, and it was notoriously inaccurate and incomplete. If the Government would consult the returns and documents in the library, they would find that the mode adopted by Mr. Griffin, with respect to the valuation, was essentially different from the course pursued by other parties. Besides, in the poorer parts of Ireland the valuation had fallen off at least one-third since it was originally made, so that while they were taxing those districts at 6*d.*, they were in reality levying a tax of 8*d.* in the pound. They were in fact levying a tax in the increased proportion of the power of those districts to pay. Then let the House consider the position of the poor-law unions in many parts of Ireland. In many places the poor-law was working well, but in other portions it did not work at all. There were only forty-five unions not in debt; and if they were to collect the debt from these unions, they would place them in the greatest pecuniary difficulties. From experience he found that it was impossible satisfactorily to carry on the poor-law, unless they had a balance lying in the bank to the credit of the union. Then, how were unions that could not at present, without difficulty, pay their current expenses, to be got to pay this rate for the assistance of unions scarcely more distressed than themselves? In the union of Midleton a proposal had been made to ask the Poor Law Commissioners to allow them to borrow money themselves; not because they could not by extreme measures collect it from the people, but because it would embarrass them less to raise it after the next harvest. Now, when a union was anxious to borrow money for such a purpose, was it not an extraordinary proposal to make, that money should be taken from it to assist other unions scarcely more distressed than itself? The noble Lord stated that if the area of taxation were narrowed so as to include individual property, the tendency of it would be to increase the number of evictions; but he forgot that the person turning out tenants would be liable for their support if he was the means of sending them to the workhouse. He urged upon the House to remember that which the noble Lord opposite had but lightly touched upon—namely, that Ireland was at present but just emerging from a calamity the most terrible, perhaps, that had befallen a country in modern times — the loss of the staple food of the people, and that even this year the crop had in a great measure failed. He was by no means insensible to the liberality that had been displayed by that House, or the unbounded generosity that had been manifested by the people of this country towards Ireland; but it should be remembered that 1,000,000*l.* of the sums that had been mentioned was given by the right hon. Baronet the Member for Tamworth in consideration of the alteration in the corn laws, and it was therefore scarcely fair to reckon that sum in the account. He greatly feared that the proposition of the Government would have an injurious effect upon Ireland, by setting those different classes one against the other which ought to be bound together and united for the common good. Allusion had been made in the course of the last debate, to the strong feeling in Ulster against this measure. He feared the noble Lord's proposition would have an injurious effect in

Ireland—that it would revive religious animosities between the different parts of the country, which ought to be buried in oblivion. He thought it unwise to create a bad feeling in the north; it was to that part of the country was mainly owing the preservation of the peace of Ireland last year. He believed it was on the loyal inhabitants of Ulster and the sentiments they entertained, that the salvation of Ireland and stability of the country mainly depended.

> Dii Patrii, quorum semper sub numine Troja est,
> Non tamen omnino Teucros delere parati,
> Cum tales animos juvenum et tam firma dedistis
> Pectora.

His opinion with respect to Ireland was, that the first step towards promoting her prosperity was to restore confidence, peace, and tranquillity there. When this was effected the Chancellor of the Exchequer would find that Ireland would be able to pay as large a proportion of taxes as Scotland, which contributed 6,000,000*l.* to the revenue of the empire. It would greatly tend also to the benefit of the manufacturers of England to promote the prosperity of Ireland, for they would find a better market for their productions there than in more distant parts of the world. He would not trespass longer on the attention of the House, but would conclude with urging the Government to adopt a different policy towards Ireland, to develop the resources of Ireland by providing the means of carrying railways through the country, and by the adoption of other measures which would tend to restore confidence, and consequent peace and tranquillity, and thus to enable Ireland, as she had shared in the military and naval honours of England, to share also in the peaceful triumphs of her commerce; and he hoped that the request conveyed in the beautiful language of Mr. Grattan, speaking eighty years ago on the navigation laws, would yet be granted, when he said "Cork will not be the emporium of the empire. Old England will still be at the head of all things. All Ireland asks is, that, her little bark may, as an attendant sail, pursue the triumph, and, if need be, catch some of the vagrant breezes of those trade winds which waft the British empire along the tide of commerce."

Mr. W. FAGAN said, the noble Viscount who had just addressed the House, stated that the measure of Her Majesty's Government would set class against class. How he made out that proposition he did not clearly explain. But he would tell the noble Lord that he was much more likely to set class against class by drawing the distinction he had done between the men of Ulster, and the inhabitants of the other portions of Ireland. Why, during the debate it was made to appear as if none but the loyal and religious people of Ulster was to pay the rate in aid, forgetting altogether that the Catholics of Leinster, of Munster, aye, and Connaught too, were to be equally taxed to sustain their destitute countrymen. But, passing that by, he would come to a remark which had fallen from his hon. Friend the Member for the city of Limerick. His hon. Friend was hostile to poor-laws; he, on the contrary, while admitting many errors in the details of these laws, was in principle in favour of them. What could have been done the last two years in Ireland without a poor-law? How could famine have been prevented making trebly more fearful ravages but for that beneficent law? His hon. Friend, too, said that England owed none of her prosperity to her poor-laws; there again he differed from him. The impulse given to the manufactures of England by the power-loom and the machine spinning would never have occurred if the handloom weavers and spinners who were displaced by machinery, had not had the poor-law to fall back on; the vast change could not otherwise be accomplished. The fact was, that all were in a state of panic as regarded the poor-law, and every man's hand was against it. The poor were not considered at all in the discussion. The landlords and ratepayers were alone objects of sympathy—the destitute were not thought of. Even the noble Lord the Member for Bandon Bridge, while admitting the destitution existing in the west, said nothing more on the subject than that he threw the responsibility on the Government, instead of putting his shoulders to the wheel, and endeavouring to rescue the unfortunate people from impending starvation. Before he came to that part of the speech of the hon. Member for Northamptonshire, in reference to the vexed question of the area of taxation, he hoped for the indulgence of the House while he endeavoured to state his reasons for the course which he felt it his duty to adopt in the Committee upstairs, and what it was his intention that night to follow in support of the Ministerial proposition. He was the more anxious for this, as he believed there was no person in that House felt more convinced than he did, that in justice the aid for the distressed districts should come from the imperial resources, rather than be extorted by a national rate from Ireland. He agreed in the full in what had fallen from the hon. Member for Rochdale, and the noble Lord the Member for Devonshire, who had so eloquently addressed the House last evening, that as Ireland was united with this country politically since 1801, and fiscally since 1817, it was the duty of England to aid to the last in relieving the distressed districts of Ireland during the continuance of the calamity with which Providence had visited them. He would venture to assert, that manufacturing England is as much interested in the condition of these districts as Ireland is. Next to this country Ireland is her best customer; and he would venture to say that Manchester is more interested in the prosperity of Cork than Dublin is, and in the prosperity of Galway or Sligo than Wexford or Waterford. But he would be met with the statement that Ireland is free from, and ought to be subject to, the assessed and income taxes. To this he would reply, that such an imposition would be a violation of the basis of agreement on which the Union was founded, and of the spirit of the seventh Article of the Act of Union. That Article says, that Ireland should not contribute beyond her means to the imperial expenditure. Before any proposition of an income tax on Ireland be adopted, let there be a fair account struck between the two countries, and he would venture to state, that instead of being a debtor to, Ireland would be found a creditor of, England. Evey one at all acquainted with the subject now admits that it was an extortion to compel Ireland to pay two-seventeenths of the imperial expenditure up to 1817. One or two statistical facts will prove this. At the Union Ireland owed about thirty millions, England four hundred and twenty millions. In 1817, when the Exchequers were united, Ireland owed one hundred and thirty millions, and England six hundred and eighty millions!—that is, the debt of Ireland was increased over 50 per cent. If Ireland's annual revenue at lowest was to contribute two-seventeenths to the imperial expenditure, her debt would have increased only in the same ratio as the English debt. Nothing so strongly demonstrates the unjust amount of her contribution. It should have been but one-twelfth or one-tenth. If it were but one-tenth, the debts of Ireland would never have approached within two-seventeenths of that of England, and, consequently, under the Act of Union the two Exchequers would never have been connected, and Ireland continuing to contribute but one-tenth, would, since 1817, have paid but three millions five hundred thousand pounds, instead of four millions five hundred thousand pounds, or, with unacknowledged taxes, five millions, which she now pays. Therefore, if an account was fairly rendered, the honest and just people would at once acknowledge, that instead of coming here as mendicants seeking for charity, they were fairly creditors, and ought to be treated as such. Again, the public expenditure is carried on in England. In the dockyards and factories of England they were spending millions, while they refused the most paltry sum for such purposes in Ireland. The public boards were all concentrated in London, and the system of centralisation was, year after year, destroying or rather drawing away the resources of the Irish people. It may, then, be fairly asked, why he, in contradiction to such sentiments, came forward to support the imposition of the national rate on Ireland? He replied, because he saw it was hopeless to expect in the present state of feeling in England any more grants from that House. The English Members were deaf as adders to the fiscal argument they were making; and while they were endeavouring vainly to convince, the people would die of starvation in hundreds and thousands. It was impossible for any one who was present at the debate on the vote for the 50,000*l.* not to have observed the strength of hostility against this grant. Some of the ablest and honestest men in Parliament voted against it; and but for the aid of the powerful party of which the right hon. Baronet the Member for Ripon is one of the leaders, the Government would have been defeated. That right hon. Baronet voted for it on the express understanding that it would be the last—that these grants had reached their limit—that the people of England would not submit longer to such drains; and the right hon. Baronet was the first in that House to suggest the rate in aid. If such was the disposition evinced on that occasion, how much more would it be increased if, after the Irish Members had rejected the rate in aid, Government came down to that House for another grant. He ventured to say it would be scouted from the House. Under such circumstances, when he found it stated that 200,000 human beings would have died last year, but for the aid given by the British Association and the Government—when he found that the 600,000*l.* subscribed by the generosity and munificence of the people of England was exhausted—when he found that these distressed unions owed 123,000*l.*—that the Commissioners reported that it would take 590,000*l.* to sustain them during the year, and yet that the utmost that could be extracted in the shape of votes was 200,000*l.*—when he saw this, it was impossible to refuse a reluctant assent to the national rate in aid. Had he been able to address the House at an earlier period of the evening, he would have read extracts from the communications from the different local inspectors to show the dreadful state of these districts. But these extracts, though they would strengthen his case, he would at that late hour of the night decline reading. He had extracts from letters of the Bantry guardians, where they state that the condition of the whole people is "immeasurably below what the most heartless would consider the lowest depths of wretchedness"—where they say that "destitution is a term that conveys no idea of the privations and sufferings of a large portion of the people in that wretched union." He had extracts to the same effect from Bellmullet, Clifden, Kilrush, Scariff, Galway, and Ballina. In point of fact, if these people were not relieved by the wealthier unions, they would migrate to these unions where their destitution must be relieved. He saw no difference in the moral obligation of supporting these destitute strangers when they inundated the richer unions, and of sending them aid towards their maintenance in their own unions. The cry has been raised in Ireland that it was hard that the industrious and the provident should have to support destitution produced by indolence and improvidence. But does not this occur in the every-day history of the poor-law? Destitution is mainly produced by indolence, improvidence, or misfortune; and yet the thrifty, the temperate, and the industrious, who are utterly unconnected with them, are obliged to sustain the destitution. For these reasons he was in favour, as he could get nothing better, of the national rate. But in the details he thought much amendment was necessary. Hon. Members at the opposite side of the House had spoken of the hardship of charging this rate on poor farmers nearly as destitute as those for whose relief it was intended. Now he admitted this to the fullest extent; and were it not for the inquisitorial nature of an income tax, to which on principle he was opposed, he would, to relieve them from such imposition, vote for it. But as a temporary aid to the poor-rate, it was not advisable to subject the affairs of the mercantile and middle class to the inquisition of a tax collector; and he would suggest that this grievance of the national rate be got rid of by exempting all occupiers of holdings in the country of under 20*l.*, and in towns of under 10*l.* He would also have a provision to protect the towns from the enormous expenditure which the present system of pauper emigration produced. One great advantage of the measure is its being temporary. During the period of its existence there will be sufficient time to mature plans for making the poor-law stimulative of industry. He admitted that the employment-giving landlord had much to complain of in the existing system, but he was most strongly opposed to the townland or estate area of taxation as advocated by hon. Gentlemen opposite as the great stimulant to employment. Now he considered that scheme was put *hors de combat* by the noble Lord at the head of the Government. It was clear it would have no other effect than encouraging clearances. The hon. Member for Northamptonshire referred to English parishes as being made areas of taxation, and pointed to them in sustentation of his argument. Now he would not pretend to knw anything personally of the parish system in England; but he had Mr. Nicholl's authority for saying that it worked badly in England, and the Commissioners were anxious to join several parishes together into unions for the purposes of taxation, and the opinion in favour of large areas of taxation was extending in that country. But even admitting that the parish area of taxation worked well, still there could be no comparison between the size of the parish and of the townland. There were but 16,000 parishes in England, spreading over a surface of 32,000,000 acres; there were 60,760 townlands in Ireland, spreading over an area of little more than twenty millions of acres. The House from that could readily see how little the two were to be compared. Again, there cannot be townland areas without a strict settlement system, with all its attendant evils, its litigation, its check to the free migration of labour, and the right to relief of all persons, whether aged, infirm, or ablebodied. This would speedily overthrow all property in Ireland. The hon. Member for Northamptonshire stated that there was already a settlement in the Irish poor-law, inasmuch as that a residence of thirty months was necessary for electoral chargeability. But this was not settlement; for a destitute person need not be an hour in a division without being entitled to relief; the only difference being that his maintenance would be charged to the general union. But while he was opposed to townland rating, he was most anxious for any plan that would encourage tillage, particularly spade husbandry. It was very remarkable that in proportion as tillage increased in any district, pauperism lessened; and in proportion as pasturage extended, pauperism increased. He had in his possession a very curious table, completed by a gentleman who had devoted much time and study to the subject, and, from his knowledge and talents, well competent to judge. That table showed these facts most conclusively; but at that late hour of the evening he would refrain from reading it. By making one rate for the aged and infirm, to which all in the union should contribute, and another for the ablebodied destitute, and exempting spade hushandry and green crops from the second rate, an enormous impulse would be given to industry. Such were briefly his views on this important question, as far as at so late a period of the night he could develop them. He supported the national rate in aid, because he felt its dire necessity. He was for making the poor-law a stimulative of industry. This, with measures affecting the tenure of land, with encouragement to arterial drainage and land improvement under the provisions of the law, would sooner or later bring forth the resources of which nature had been so bountiful, and yet contribute to make Ireland a prosperous country.

MR. BANKES said, the noble Lord at the head of the Government, towards the conclusion of his speech, had given utterance to some very strange and ominous expressions. The noble Lord had stated broadly that, after all that they had been called upon to pay for the relief of destitution in Ireland, they were to depend upon mere chance for the repayment of the sums so advanced. For what was the security proposed by the noble Lord? The security for the money which the English people were called upon to pay, was this rate in aid, which certain Irish Members told them they could not pay, and which others said they would not pay. That was the position in which this question was placed by Her Majesty's Government; and he must say that his hon. Friends who last night took the precaution of endeavouring to have a preliminary explanation from the noble Lord, had acted wisely, and were justified in the course which they pursued; for if the noble Lord had made the statement then which he had made last evening, he (Mr. Bankes) doubted whether he would have got his Committee. It was a most serious consideration for English Members, who with great difficulty had been brought to accede to a vote of 50,000*l.*, to be now implicated in a vote which might be for half a million or a million, or even more, based upon a security which the Irish Members repudiated. He gave credit to the Irish Members for speaking out. They had told the House plainly, some of them, that they would not, and others that they could not, pay this rate in aid. They had told them that it would prove a delusion in the end, and that the English people would lose their money. Well, then, he contended that it was no longer a mere Irish question. The question was British—it was English; for the English would have to pay the money. He could assure the hon. Member who spoke last, and who complained of the Irish Members being taunted with coming down to the House one night full of menaces, and the next as mendicants—he could assure that hon. Member that not only had no such harsh expressions fallen from the lips of hon. Gentleman on that (the Opposition) side of the House, but they had refused to lend any sanction to such expressions. It was those hon. Gentleman who sat on the Ministerial side of the House who uttered and applauded those offensive phrases. With the Irish, they (the hon. occupants of the Opposition benches) knew that the people of this country had a common cause, and a common feeling. They could assure the Irish people that they joined heartily in every measure calculated to relieve Ireland (which was equally the country of English and Irish) from that distress which had so unhappily fallen upon it. But the Irish Members would not blame him (Mr. Bankes), representing, as he did, constituents who, under existing circumstances, were not in a very prosperous situation, and who were calling upon the representatives of the agricultural interest to procure for them compensation for the injuries which had been inflicted on them, as they thought, by no act of their own—the Irish Members would not blame him if he did his best to guard his constituents from further infliction. The Irish Members could not blame the representatives of parties if they grudged even so small a sum as 50,000*l.*, and had voted it with hesitation and unwillingness, not because they were unwilling to acknowledge the distress of Ireland, and to administer to its relief, but because they had distress existing among their own constituents, which had been inflicted upon them by the course which not all, but a large body of the Irish Members had thought proper to pursue in that House. But the protectionists owed no grudge to them; let them come back to the advocacy of protection, and they would make common cause with and join them again. The sentiments to which the hon. Member for Cork (Mr. Fagan) had that evening given expression, were such as the protectionists had always advocated. They had always held that the encouragement of tillage was the way to banish pauperism. It was because tillage had not been encouraged that pauperism prevailed. So said the hon. Member for Cork; and it was a just sentiment—it was one which was now fully exemplified in the state of Ireland, and would be exemplified in England likewise, unless some remedy were speedily adopted. It was said that that House was bound to bear the burden of providing for the distress of the people. He was not sure of that proposition; but sure he was of this, that, constituted as that House of Parliament was, the people should not be allowed to starve, although they might differ as to the best mode of affording the people relief. Hon. Members considered that the late vote of 50,000*l.* was to meet the difficulties of a peculiar emergency. If that sum were not sufficient, why did not the Government ask for a larger sum, that might have been sufficient? But, above all, why did not the Government call Parliament together at an earlier period, seeing that the papers which had been laid on the table of the House proved that on the 29th of September they were aware of the emergency? After such culpable delay on the part of the Government, how could they now venture to charge hon. Gentlemen on that (the Opposition) side of the House with being heartless and reckless, and being capable of sitting calmly to consider the destitution and starvation of the people of Ireland, because they had asked for a delay of perhaps a few hours to consider the nature of this proposition of the Government? And when the Government did call Parliament together, they did not think it was their duty to put into Her Majesty's Speech any one expression that led the House to believe that the state and condition of Ireland was such as they now described it to be in. If, then, there was any charge to be made against any parties in this matter, it should be made against the Ministers of the Crown, and not against those who had exercised their duties conscientiously towards their constituents. The security which the Government now proposed to his (Mr. Bankes's) constituents for the repayment of the sums which had been advanced to Ireland, was insufficient. He was one of those who had, last Session, voted for a property tax for Ireland. He feared that he had offended some of his Irish friends by that vote; but he had considered it his duty to record his opinion in favour of such a measure. Had that proposition been then carried into a law, they would not now be called upon to deliberate upon this question of a rate in aid. England and Ireland would then have been so united, fiscally and politically, that Ireland's present destitution could not have happened. He did not, however, believe that it would be well to propose a scheme of assessed taxes for Ireland. He could understand the difficulty and aversion of the noble Lord, with regard to the imposition of a property tax upon Ireland. The noble Lord had adopted a long series of measures, to which he had a decided and perhaps an hereditary aversion. He had carried the Arms Bill, the Coercion Bill, the Suspension of the Habeas Corpus Act, and he must now carry a property tax for Ireland, and then he would have achieved the full measure of his destiny. There were some of the greatest authorities in that House who had not declared their sentiments upon this question—some of those who had held the highest stations in the State—some of those who had been the Ministers of Ireland yet remained to enlighten the House upon this rate in aid, to which he was decidedly averse. He would, however, reserve his judgment and vote until he should have heard those high authorities declare their sentiments. In a time of extreme difficulty, like this, he felt that every honest man ought to come forward and give his opinion, and therefore it was that he had ventured to detain the House so long. With these feelings he thought the Government ought not to come forward and ask for an advance for Ireland without approved security—and that it would not be accepted. He regretted that the Government had not brought forward their measure last night, because then so many hours would not have been lost without some person being prepared with a scheme to replace that which he felt would not be adopted by the House.

MR. MONSELL agreed with the hon. Gentleman the Member for Dorsetshire as to the undesirableness of this vote, but for different reasons. The subject was under consideration in another place, where evidence was being taken upon oath, and also by a Committee of this House, who were receiving evidence relative to the Irish Poor Law. He did not agree with his noble Friend the Member for Bandon, that the best mode of dealing with this question was by abstract arguments as to the relative amount of English and Irish taxation, but he considered that it must be met in a practical way. No doubt good arguments had been used, and would be used, against the imposition of additional taxation on Ireland; but he took that to be a settled question. The people of Ireland could not be left to starve by Christian legislators in a Christian country, and there was no doubt that Ireland must find the money to support them. He believed there was little doubt that this House would not consent to grant money out of the imperial resources for the relief of the country, unless some additional contributions were made to the Imperial Treasury by Ireland; and he, therefore, thought it better to meet the case as it existed, without going into theoretical inquiries, or into calculations as to what balance there might be between England and Ireland. He trusted, however, that hon. Gentlemen would pause before they consented to the proposition submitted to them by Government; for he thought he should be able to show them that the proposed mode of raising the necessary funds was the most unjust that could be devised. There certainly did appear peculiar injustice in singling out that portion of property which was at present in so lamentable a condition as the only portion now to be taxed in Ireland. He was clearly convinced that the proposition, for that reason, was one which the House ought not to adopt. But he feared that there was a sort of hopeless feeling in the breasts of English Gentlemen, which induced them to place themselves completely at the disposal of the Minister, and to accept, without examination, any proposition he might think proper to make. They thought that in return for the pleasures of office, he ought to have the misery of being alone responsible for Ireland. Still the case he had to make out was so strong as to induce him to hope that before the close of the debate he would have the votes of many who had come to the House determined to support the proposal of the Government. The Ministerial proposition was to lay an additional tax of 6*d.* in the pound on all rateable property for the relief of certain distressed districts. He objected to that proposition—first, on the ground of its insufficiency for the purpose intended. Did any one believe that 250,000*l.*, the sum which it was expected the rate would produce, would be sufficient to relieve the distress of the insolvent unions? Why, their debts and probable liabilities would amount to between 550,000*l.* and 600,000*l.*, before harvest. Next, the tax was to terminate in two years. Now, the evidence taken before the Poor Law Committee had been laid on the table, and, therefore, he presumed he was justified in alluding to it, and in that evidence it would be found stated by Mr. Power, the assistant poor-law commissioner, that in his opinion there were many districts in which it was idle to suppose the distress would be relieved for many years without extraneous assistance. Therefore the proposed limitation in time was a delusion. Another point touched upon in that evidence was the question of valuation. Mr. Griffith, the Government valuator, proclaimed the existing valuation to be most unfair, fluctuating in different districts. In the union of Kilrush the valuation was 3*s.* 4*d.* more than that of the Government valuator, while in part of the county of Down it was 8*s.* more. Would it, therefore, be just to impose a tax upon such unequal valuations? He asked, then, would the House, would English Members, consent to so monstrous an injustice as a rate in aid founded on that valuation? He came now to the only argument which, in his opinion, had any force as in favour of the Government proposition. It was asserted that Ireland paid no income tax—it was admitted upon all hands that if Ireland paid that tax there would be no more fairness in taxing it generally for the relief of certain distressed districts, than there would be in taxing Yorkshire or Middlesex for the same purpose. He accepted that proposition, and he asked the House, was it fair that the farmers of Ireland, who almost all have less than 150*l.* a year, should pay that which the farmers of England, of a similar class, did not pay? for it was well known that although England had an income tax, the great majority of the farmers were exempt from its operation. Could any one use as a valid argument in favour of the rate the argument of necessity; he trusted the maxim, *Rem, si possis, recté; si non, quocumque modo rem*, would never be adopted as a reason for levying an unjust tax. Such an argument would justify him in breaking open a jeweller's shop to relieve a distressed person. He was willing to accept for Ireland equal taxation, but he must explain what he meant by the term when applying it to Ireland. He did not mean the assessed taxes, because he believed that their collection would cost more than they were worth. To raise the spirit duty to the English level, would, in his opinion, be most impolitic, because it would resuscitate all the evils of illicit distillation. Similar evils would follow from the imposition of the soap duty; and, therefore, all that remained for consideration was the income tax. He wished then to state the terms upon which, as representing an Irish constituency, he was willing to accept that tax. It would be in the recollection of many hon. Members, that when that tax was proposed for England, Her Majesty's Ministers gave as a reason for not imposing it on Ireland, that in the then depressed state of the country, its imposition would be oppressive. It was universally admitted that Ireland was now in a worse state than when that exception was made in her favour; and, therefore, when an Irish Member accepted the income tax, it should be conceded to him that the Imperial Treasury, reinforced by the proceeds of that tax, should adopt a liberal course with reference to that object in Ireland. He believed it would have this great advantage: it would provide for the immediate distress, and thus enable the Government to proceed to the consideration of more permanent and comprehensive remedies. At that late hour he would not attempt to point out those remedies in detail, but would merely point out what had already been done by a noble Lord, a distinguished Member of the Government (Lord Palmerston) upon his property, situated, as it was, in a district quite as miserably off as Clifden, about which they had heard so much. That noble Lord had devoted all his energies to the task of raising the condition of the district; and the House would be gratified to learn that his Lordship's exertions had been entirely successful. How had the noble Lord succeeded? Not by attempting to feed with alms the dense population, but, pursuing the only rational course, he enabled hundreds of them to go to another country, where they were doing well, and had been enabled to send money home to their friends. He stated this upon the best possible authority. He might mention also what had been done by another Member of the Government—the Earl of Carlisle. That nobleman having found that on a property in Ireland belonging to the Crown no rent had been paid for eleven years, and that the residents and occupiers were a pest and terror to the whole country, came forward, and, with the funds at his disposal, enabled them to emigrate; and the consequences had been the complete renovation of the whole district. No one could doubt that Her Majesty's Government would have pursued a wiser course during the past two years had they listened to the recommendations of Irish Members in favour of emigration, instead of persevering in a course which had ended in their coming down to that House to propose a tax which was thoroughly obnoxious to the people of Ireland. He hoped the noble Lord would consider well before he pressed the measure now submitted to their consideration. He would tell him in words not unfamiliar to him—

> "Turno tempus erit, magno quùm optaverit emptum
> Intactum Pallanta."

When the noble Lord had, by trifling with their feelings, severely tested the loyalty of Ireland—when paid vice-guardians should have replaced those boards of unpaid guardians who were now doing their duty so actively and so well—when stipendiary magistrates should be seen sitting on the bench of justice—the noble Lord would regret too late that he had not withdrawn a proposition which had been received in that country with so little favour.

The CHANCELLOR OF THE EXCHEQUER felt relieved, by the opening part of his hon. Friend's address, from saying much which he might otherwise have felt it necessary to say, as to the observations made by hon. Members who disclaimed, on the part of Ireland, the imposition of burdens for the relief of a distress which was confined to one portion of that country. His hon. Friend admitted that it was not right that further burdens should be imposed on the people of Great Britain for the purpose of relieving distress in Ireland. [Mr. MONSELL dissented.] Perhaps it was too much to expect that an Irish Member should say he thought this fair. [Mr. MONSELL: I expressed no opinion upon the subject.] At all events, his hon. Friend admitted that the only question was, as to the mode in which this money was to be raised from Ireland. That the necessity of aid for the relief of destitution was great, must be admitted by all who were acquainted with the state of Ireland; even the hon. Member for Dorsetshire admitted that advances must be made. In a great proportion of the western districts of Ireland, without some assistance to the aid which the local rates can afford, distress and starvation to a fearful extent must ensue. There was nothing more strange to him than the fact that in so much of what had fallen from some of the hon. Gentlemen opposite, there should appear, on their part, altogether a forgetfulness that any such necessity existed, and that in their anxiety to force such alterations as they thought necessary to lessen the burden of the law on the consideration of the House, they should seem almost to lose sight altogether of the more pressing emergency which existed, of meeting the demands of the starving population, arising from the failure of the food of the country during the past three years. Now, he was far from saying that these Gentlemen intended to treat this main part of the question with that neglect which he attributed to their manner of pressing their views upon the House; but still he thought that he was justified in saying that they had dilated on that part of the case which was not so pressing, and had neglected that part of it which, if it were to be done at all, must be promptly done, in order to afford an efficient remedy of some sort or other for the evil which existed. The hon. Gentleman the Member for Dorsetshire had cried out a little before he need have done so, about the large advances made to these unions not having afforded any adequate remedy, and about the blame which was to be attached to Her Majesty's Government for not calling Parliament together at an earlier period of the year, for the purpose of considering this emergency. But the hon. Gentleman should have remembered that before the beginning of February, it was not necessary to make any advance whatever for which the sanction of the Legislature could be required, and that within four days from the meeting of Parliament, he (the Chancellor of the Exchequer) had stated to the House the sum which he thought would be sufficient to carry these distressed unions over the period that must elapse before his noble Friend could state to the House the proposition that was now before it, or some other proposition calculated to meet the exigency which they knew must continue for some period to come. He would not at that late hour refer to much of which at an earlier period of the evening he should perhaps have felt inclined to enter upon. He would merely confine himself to the objections that were raised to the mode by which this relief was proposed to be raised. Hon. Gentlemen had expressed the strongest opinions against this proposal, and he must own that he, for one, had been not a little surprised at the violence—if he might use the expression—which was exhibited against the proposition of a national rate in aid. He had, during the last three or four months, heard many suggestions from various parts of Ireland in favour of a national rate, as being the most convenient mode in which funds could be raised for this purpose. One suggestion was, that the charge for the constabulary, now paid out of the Consolidated Fund, should be put back on the Irish counties, and that a proportionate amount should then be paid out of the national revenue for the relief of these unions. This was in substance to exact a national rate for the purpose of relief. The hon. Gentleman (Mr. Monsell) had himself, not ten days ago, expressed a desire in that House for the imposition of a national rate in favour of emigration. He had stated that he would not object to a national rate for such a purpose; but if that were so, what became of the objection on which so much stress had been laid that night—that it was utterly and altogether unjust that the landed property of Protestant Ulster should pay for the distress of the Roman Catholics of Connaught? [Mr. NAPIER: No, no!] The hon. and learned Gentleman the Member for the University of Dublin certainly did last night allude to the religious differences between the two provinces as a reason which made it more unjust than it otherwise would be for Ulster to be called upon to pay for the support of the people of Connaught; but he (the Chancellor of the Exchequer) regretted that he had recurred in the slightest degree to that subject. He sincerely apologised for having used an expression that had the effect of exciting even a momentary feeling of religious differences, which he was the last person in the House who would wish to see revived. But at all events the admission had been made by Irish Members, that they would have felt no objection to a proposal for making the farmers of the north pay a rate in aid of emigration from Kerry and Connaught; and yet such a proposition appeared to him to be open to precisely the same objection as one for asking the north to assist in preserving the same parties from starvation. The hon. Member for the county of Limerick might think that emigration was a better mode of giving relief; that was a point on which he would not at present enter. It must be obvious that the objection raised by the people of Ulster, was not the particular mode in which the relief was to be given, but to their being called upon to contribute towards it at all. But was it extraordinary, when this proposal had been put forward by Irishmen of all parties, and by the hon. Member for Limerick himself, in that House, not ten days ago, that Her Majesty's Government should have been led to think that it was one not likely to prove unpalatable to the Irish people, and at all events that it was one which would not have been stigmatised with so much violence as unfair, monstrous, and unjustifiable? He perfectly agreed with the hon. Gentleman, that emigration was one of the most useful steps that could be taken, or that landlords could promote, for the regeneration of the country, and that to a certain extent it ought to be encouraged by the public in regard to Ireland. He thought that nothing could have been more useful than what his noble Friend (Viscount Palmerston) and other noble Lords and Gentlemen had done in promoting emigration from their estates in Ireland; and the hon. Gentleman opposite must know that his noble Friend (Lord John Russell) did not propose to exclude altogether from the purposes to which this rate in aid might he applied, some assistance to emigration; but what they contended for was, that to any proposition in favour of a large system of emigration—to use a modern phrase—carried on by the Government, very great objections were to be entertained. He believed that, in the first place, any such general system was wholly unnecessary, and also, that its effect would be to damp the exertions that were now made to an almost incredible extent in promotion of private emigration, and to transfer to the State a burden now borne by other parties in a more advantageous way, and, as he believed, with infinitely less expense to the country than any public system could be conducted upon. He had been told—and the accounts which had arrived from the west of Ireland confirmed the statement—that emigration had been already carried to such an extent in many parts of these distressed districts, that it would be mischievous and injurious to the best interests of the country if any larger number of the population were to leave the country. As an instance of the extent to which emigration was now going on, he would beg to refer to a statement which he then held in his hand of the number of emigrants who proceeded from the united kingdom in the month of January for each of the last three years; and it was notorious that these emigrants included a very large proportion of Irish. In the month of January, 1847, the number of emigrants from the united kingdom was 4,721; in the month of January, 1848, the number was 4,561; while in the month of January of the present year the number was no less than 10,143. His conviction was, that emigration conducted on the voluntary system was by far the most healthy kind of emigration that could take place, because the parties proceeded almost universally on the invitation of those who had gone before them, and who provided them with some kind of resting place on their arrival upon a foreign shore, so as to insure them against the misfortune of being thrown homeless upon the wide world. And when he stated to the House the sums of money which had been remitted to Ireland by those who had previously gone to America, for the purpose of promoting the emigration of the friends they had left behind, hon. Gentlemen would, he thought, be not a little astonished at the greatness of the amount, and would be inclined to agree with him that there was not much necessity for the Government to take steps for providing further means in aid of emigration. He had received returns of the sums remitted from America in the year

1848, for the purpose of promoting emigration, partly in money, and partly by the passages being paid for on the arrival of the emigrants; and though the entire amount was not known, and the sums remitted through one of the largest houses in the American trade were not included in the returns, still the House would probably be surprised to hear that these returns exhibited a total sum of no less than 460,000*l.* for the last year alone. He thought that such being the case, there was but little need of any further stimulus being given to emigration even from Ireland. The emigration which prevailed was a wholesome one, and was very properly encouraged by the voluntary aid given by landlords; but it was all the better for not being checked by any expectation being excited that emigration was to be carried on to any large extent by Government means. He entertained the strongest conviction that any general system of emigration supported by Government aid would interfere most injuriously with what he believed to be the healthiest and the best emigration—that conducted on the voluntary system—and that any amount so expended would in fact be merely thrown away, as far as increased emigration was concerned, as it would be merely a substitution for, and not an addition to, the money now devoted to that purpose. But to return to the proposition before the House. He had already stated that the proposal of a national rate had been suggested by many gentlemen connected with Ireland. He wished that hon. Members connected with Ireland would not suppose that he did not sympathise with those who did their duty as landlords in the many pressing claims that they had to meet, or that he was not ready to support them in obtaining any assistance that could be rendered to them without entailing on the country consequences more injurious than any they had as yet known. This was the feeling of every Member of the Government as well as of himself; and he would remind them that this rate was proposed by his noble Friend at the head of the Government, merely as a temporary measure. As had been stated already by another Member of the Government, he certainly would not, for one, ever have thought of proposing a national rate in aid for the relief of Irish distress, if it were not intended to continue merely for a limited period. One great consideration in any such measure was, that the amount should be readily raised, at a small expense, and without the necessity of creating new machinery for the purpose. Now, this proposed rate in aid could be raised without costing a single farthing for additional machinery of collection. The whole machinery for the collection was already in operation, and the only thing necessary to be done was, to add 6*d.* to the amount of any rate now to be collected. It would be collected by the same individuals who collected the ordinary rates, and in the cheapest and readiest mode in which a tax could be got in. Now, he certainly could hardly believe that hon. Gentlemen who represented Ireland were serious when they talked of substituting for such a plan an equality of taxation with England. So tempting was the offer to a Chancellor of the Exchequer, that he could hardly be expected to refuse a proposal so generously made; but when the hon. Member for the county of Limerick came to consider the extent of this suggestion, and the objections that existed to an income tax, from the necessity of creating an extensive machinery which did not at present exist, for its collection, and the other taxes that should be imposed, in order to equalise the taxation between the two countries—omitting the assessed taxes, which the hon. Gentleman disavowed, but including a land tax as paid by England, and many excise duties from which Ireland was now exempt, he (the Chancellor of the Exchequer) thought that the hon. Member could hardly be serious in his proposal. When the hon. Gentleman proposed such an arrangement as that, involving the payment of 2*s.* or 3*s.* at least in the pound, in order to avoid having to pay 6*d.*, the only inference to be drawn was, that there was an unwillingness to pay anything at all, and that an offer was made which nobody could believe to have been seriously intended. His belief was, that the mode proposed, having been suggested from Ireland itself, and being confined to Irish purposes alone, and being, besides, the cheapest form in which the amount could be collected, was one in which the House might well be called upon to concur. There was one further objection made by the hon. Gentleman. It was the inequality of the valuations that had been referred to; but perfect equality was not to be expected. In the county of York, in which he (the Chancellor of the Exchequer) had property, as well as in every other county in England, there were very considerable differences between the valuations of the parishes. He knew that two adjacent parishes in which his property lay were very differently rated; and he believed the same to be the case in Scotland and in every part of England. He believed that the inequalities in Ireland, and the differences in value to which the hon. Gentleman had referred, were not very unlike those in England. Some hon. Gentlemen wished that the rate should be levied upon Mr. Griffith's valuation; but that would completely change every existing arrangement. That valuation was not made upon what the land would let for, as in this country, but upon Mr. Griffith's own estimate of its value; and certainly the differences stated by hon. Gentlemen sounded very much as if Mr. Griffith's valuation was not so very correct as hon. Gentlemen from Ireland generally thought. However, the poor-law valuation was that upon which the rate was collected, and not upon Mr. Griffith's; and the proposal of the Government was to levy the additional 6*d.* in the pound upon the existing valuation. Would any hon. Gentleman tell him what practical injustice could be done to anybody in Ireland by adopting such a basis? He did not mean to say that any tax could be perfectly fairly adjusted; but when hon. Gentlemen considered the difficulty of collecting the sum required, without incurring additional expense in its collection, he thought it would cover any trifling injustice that could be supposed to arise under the difference of valuation. And certainly no proposition that had yet been made, even by the Irish Members themselves, appeared so advantageous for their country, nor was there one which would not entail upon them more expense than the proposition of the Government.

Mr. B. OSBORNE moved that the Chairman should report progress, and ask leave to sit again.

Lord J. RUSSELL said, that considering the debate had not made such progress as he could have wished, and inasmuch as he was desirous to give an opportunity to every hon. Member who was anxious to express his opinion upon the question, he should not offer any opposition to the adjournment of the debate. The first business that stood for Monday was the subject of the navigation laws; but, in consideration of the necessity of going on with this debate, he would give up Monday to go on with it. But he should, at the same time, say, that he hoped to make some arrangement on Monday to bring on the navigation laws on Tuesday. There were some Motions of considerable importance on the Paper for Tuesday; but they were of such a nature that they need not stand in the way of the debate on the navigation laws.

The House then resumed, the Chairman reported progress, and obtained leave to sit again on Monday.

PETTY SESSIONS BILL.

The House went into Committee on this Bill.

On the 1st Clause being put,

Captain PECHELL reprobated the practice of holding special or petty sessions in public-houses, and hoped that the hon. the Attorney General would direct his attention to the subject.

The ATTORNEY GENERAL said, that if it were the wish of the House that petty sessions should not be held in public-houses he would insert a clause to that effect in the Bill. At present he left a discretionary power with the magistrates on that subject.

Captain PECHELL contended, that it was most improper to make use of inns and public-houses for such purposes. The practice, however, was very general. There were 724 petty sesssions held in England, and 358 of these were held in taverns. The publicans charged nothing for the use of the rooms, because they received a sufficient profit upon the wine and grog drunk upon the premises by the parties litigant. There were thirty-six places where petty sessions were held in magistrates' clerks' offices, and in some few localities the workhouse, the gaol, and the house of correction, were all used for the purpose. It sometimes happened that the magistrates preferred sitting in the inn rather than the town-hall, and that they dined at the place where they presided. He would not permit drinking-rooms to be resorted to by the justices except in cases of necessity; and he was happy to find the right hon. Gentleman the Attorney General willing to meet the views of the House on this important subject. The hon. Gentleman concluded by moving the following clause:—

"And be it enacted, That after the passing of this Act, it shall not be lawful for any justices of the peace in England to hold any petty or special sessions of the peace in any house licensed for the sale of excisable liquors, or, after a session-house shall have been provided under the powers hereinbefore contained, elsewhere than in such session-house, except in cases of urgent necessity, the cause of which shall be noted in the minutes of proceedings."

The ATTORNEY GENERAL said, the Bill was framed with the express intention of meeting the objection to holding the petty sessions in public-houses. It gave the magistrates the authority of appointing places, and, being disposed to leave it to their discretion, he could not consent to the clause of the hon. and gallant Member.

SIR R. PRICE had a decided objection to the holding of sessions in public-houses; but in some districts it was found exceedingly difficult, if not impossible, to find any other place equally convenient. He hoped the hon. and gallant Gentleman would not press his clause.

MR. HODGES expressed his unwillingness to hold petty sessions in public-houses; and as the Bill discountenanced the practice, he hoped the hon. and gallant Member would withdraw it.

CAPTAIN PECHELL said, there was no one to whom he would more willingly defer than the hon. Member for Kent; but he found that in that county out of seventeen, eleven petty sessions were held in public-houses, and two in the magistrates' office, which was still worse, as more likely to exclude the public. He would, however, withdraw the clause at the request of so many hon. Gentlemen.

The clause was withdrawn, and the Bill passed through Committee, and reported.

House adjourned at a quarter before One o'clock till Monday next.

* * *

HOUSE OF LORDS,

Monday, March 5, 1848.

MINUTES.] PUBLIC BILLS.—Outdoor Paupers.

2ª Commons Inclosure; Vice-Guardians of Unions (Ireland); Relief of Distress (Ireland); Buckingham Summer Assizes.

Reported.—Larceny Acts Amendment.

3ª Marriage (Scotland); Registering Births, &c. (Scotland).

PETITIONS PRESENTED. By the Duke of Richmond, the Earl of Eglintoun, and the Earl of Aberdeen, from Glasgow, Edinburgh, Aberdeen, and a number of other Places, against the Marriage (Scotland) Bill; also from the same Places, against the Registering Births, &c. (Scotland) Bill.—From Carrickmacross and Nenagh, against the Imposition of a Rate in Aid of certain Distressed Unions in Ireland.—From Rothesay, against the Repeal of the Navigation Laws.—From Trowbridge, for the Adoption of Measures for the Suppression of Seduction and Prostitution.

MARRIAGE (SCOTLAND) BILL.

LORD CAMPBELL moved the Third Reading of this Bill.

The EARL of ABERDEEN said, that the noble and learned Lord, without making any observations, had now moved the third reading of this Bill. As he (the Earl of Aberdeen) had already addressed the House on the subject, it was not his intention to trespass on the attention of their Lordships at any length on the present occasion. He must, however, state, that he had received many letters from various parts of Scotland, complaining of the haste with which this Bill, and that for the Registering Births, had been pressed through the House, and expressing the desire of the writers that an opportunity should be afforded them of petitioning against them. He was rather surprised at this desire, seeing the entire neglect and inattention with which, for the last two years, the petitions on this subject had been received by the House. He would admit that, of late years, the right of petitioning had been so much abused that it was not wonderful that their Lordships should not receive these petitions with all that respect and interest which they would otherwise command. But this was no party question. It was one affecting the social condition of the people of Scotland, and one on which a great unanimity of opinion had been expressed, and still existed at this moment in that country. The more he considered the two Bills introduced by the noble and learned Lord, particularly the Marriages Bill, the more he was at a loss to ascertain the grounds on which it was introduced. He could discover no reason for it, and he could only consider it an attempt to make more perfect a general system of registration, without considering the evils which the alteration would inevitably produce. The alteration was supported by the most flimsy and wretched arguments. They were told that there was a system of registration of marriages provided for England, and therefore it was fitting that there should be a similar system established for Scotland. But those who urged these arguments, entirely forgot that there was no resemblance between the circumstances of the two countries. In England the system of registration and of marriages before the registrar was established in consequence of the numerous petitions which were presented by Dissenters, who formerly were obliged to go to the Established Church to be married, and against which they entertained conscientious scruples. Nothing of the kind was the case in Scotland. There was no compulsion there to go to the Established Church. Each party was married by the minister of the sect to which he belonged; and on this head, therefore, there was no practical grievance whatever. When he looked at the evils to the morals of the country that were likely to arise from the measure, he thought the present subject was one which deserved the most serious consideration of the House. They did not propose to interfere with the principle of the marriage law of Scotland. Under the present Act, marriage was still to be a civil contract, perfected by the consent of the parties. Although, fortunately, irregular marriages were not very frequent in Scotland, yet, when they did take place, their validity was unquestionable. A written promise given by the party, followed by cohabitation, was a valid marriage. He maintained that this was just. He said, that when a man gave a written promise, and thereby effected the ruin of a woman, it was only a matter of common justice that such a contract should be considered a binding one. This rule prevailed in every country of Europe; it was the law of Scotland at the present moment, and had been so for ages; and perhaps it would be quite as well if it prevailed in England. Now, this alteration would have the effect of holding out an indemnity and encouragement for seduction; for he believed he might take it for granted that seduction was generally effected by means of some such promise. It generally appeared so in cases of actions for seductions in England. Let them look at any circuit in England. The cases of seduction in one circuit in England were often more in number than those which occurred in Scotland in the course of fifty years; and now, in spite of that which had been the law in Scotland time out of mind, Parliament was to say, that such a promise, followed by cohabitation, was no longer to be binding. Such a course would lead to an incalculable amount of guilt and misery. When he saw the institutions of his country overthrown, without the slightest show of reason, and contrary to the wishes of the people, he must say, that the feelings with which he viewed such an attempt were those of indignation. If their Lordships now wished to alter the law, they should appoint a Committee of Inquiry — they should call evidence, and see what the evils and advantages of the existing law were— they should inquire deliberately into the subject before they ventured to interfere with a matter which affected the welfare of the people of Scotland in the highest degree. But the system proposed to be established by the present measure was quite new, and had never yet been attempted. His noble and learned Friend (Lord Brougham) some years ago introduced a Bill on this subject; but what was the nature of that measure? That measure was one in which the noble and learned Lord attempted to remedy the evils which arose in consequence of the difference between the English and Scotch laws on the subject of marriage. His noble and learned Friend on that occasion stated truly, that the people of Scotland were exceedingly attached to this portion of their jurisprudence; and that, for his part, he had no intention of interfering with it; and he added, that one system might be advantageous in Scotland, and another in England, yet that was no reason why the people of this country should take advantage of the Scotch law to evade the provisions of their own law. On that occasion he (the Earl of Aberdeen) expressed his concurrence in the views of his noble and learned Friend; but now it appeared that a change had come over him, and that he was prepared to sweep away, without hesitation, that law which he said before he had no intention whatever of interfering with. On this subject, he could only appeal to Philip sober. The law of marriage in Scotland had been frequently referred to in both Houses of Parliament during the debates on Lord Hardwicke's Act, but no one thought of proposing any alteration in it. He had heard Lord Eldon and Lord Stowell on the subject of the Scotch marriage law, and they had never suggested any alteration in this respect, however much they might desire to correct the evils arising from the evasion of the law of England. Neither Lord Hardwicke nor anybody else had ever hinted at the propriety of altering the law. Dr. Lushington had spoken of this law with respect, and had never intimated the slightest idea of any such alteration. He might be permitted to say, that a measure of such importance as to its objects, and the extent to which it might be carried, deserved to be approached with much more caution than had hitherto been shown, seeing that there could not be the least necessity for it, except to complete, and to render somewhat more perfect, a general system of registration. He had expressed himself strongly, because he felt deeply on the subject; and finding that it would be vain for him to contend against the domination to which he was exposed, he should merely add, that he never valued more highly than he now did the privilege which every Peer possessed of recording in a protest his opinion of any measure which he considered inexpedient and unjust.

LORD CAMPBELL was surprised at the complaint made by the noble Earl against these Bills. The present was the third Session during which they had been before the House; and both in principle and in detail they had been most deliberately discussed. It was on account of the very condition of the law of marriage in Scotland, described by the noble Earl, that he (Lord Campbell) had introduced the Marriage Bill as an attempt to remedy its evils. Its object was to register those promises of which the noble Earl had spoken, in order that the marriages might be legalised and declared, for the sake of the wife and the offspring, so that if the marriage were ever questioned, the promise could be shown to have been made. No one could enter into a bargain for the sale of goods or lands without a written contract; and if his noble Friend would not part with any of his numerous estates without having a contract in writing, how could he object to a written contract of marriage between persons — involving so deeply as it did the peace and character of females and their families, the morality of the people, and the possession of property —being made so publicly as to render any denial of it impossible? The mode of marriage required to be carefully attended to. It was peculiar to Scotland, and the power of declaration or concealment lay with the parties themselves. They might live together for years as man and wife, and finally either declare their marriage, and legalise their children, or say they were never married, and so illegitimise their offspring. The noble Earl had referred to the custom of other countries, and had stated that no country in Europe refused to recognise a written promise of marriage otherwise than as a good marriage. He would venture to contradict the noble Lord, and to state that in no Christian country in Europe did a written promise of marriage constitute a marriage. In France, and every part of Christendom where the Council of Trent prevailed, no marriage was lawful unless it were entered into in the presence either of the parish clergyman or the officer appointed by law for the purpose. It was the object of the present Bill to assimilate the law of Scotland in this respect to that of every other Christian country, and to put an end to a state of doubt as to what was, and what was not, a legal marriage.

Bill read 3^a and passed; as was also the REGISTERING BIRTHS, &c., (SCOTLAND) BILL.

VICE-GUARDIANS OF UNIONS (IRELAND) BILL.

The MARQUESS of LANSDOWNE moved that this Bill be now read 2^a.

LORD STANLEY said, he was glad to find that this Bill was to be of only temporary duration, and, under the circumstances, he should not offer any opposition to its passing. At the same time, he thought the subject was one which required considerable attention on the part of Her Majesty's Government, whether the Poor Law Commissioners should not be required to specify the grounds of their proceedings in each case where they appointed vice-guardians. The two systems of elected guardians and of paid guardians were liable to separate evils—either they had local knowledge with local prejudices, or, in the other case, there was an absence of local prejudice, but, at the same time, an absence of local knowledge, which frequently resulted in the expenditure of a large and an unnecessary sum of money. He suggested that a remedy might be found in the vice-guardians calling to their assistance some of the more intelligent of the elected guardians.

The EARL of WICKLOW said, the suggestions of the noble Lord were no doubt of considerable weight; but he thought there were reasons on the opposite side which considerably outweighed them. He contended that responsibility ought to rest exclusively either upon one class or the other. He deplored any system which would divide the responsibility between the vice-guardians and the elected guardians. Both systems might be liable to peculiar evils and abuses; but he was sure that those abuses would be greatly augmented by a union of the two systems.

LORD MONTEAGLE felt it his duty to support the present Bill; but, at the same time, he thought the system of paid guardians was peculiarly liable to abuse; and, while several excellent appointments had been made, he knew cases, on the other hand, where parties were appointed that were utterly incompetent to discharge the duties of their situation.

The BISHOP of CASHEL rose to bear

his testimony in favour of paid guardians, instead of that class of guardians which generally composed an elected board, where it was too often the case that politics were introduced as subjects of debate, instead of attending to the wants of the poor. He could state, that in the district of country with which he was acquainted, the ratepayers were thankful for the substitution of paid guardians; and the poor, to his own knowledge, were twice as well taken care of as they were under the old system. As to the expense, it was a fact with which he was acquainted, that in one union the paid guardians had made such arrangements that, unless a sudden scarcity of food should take place, such as was not at all anticipated, there would be a saving of 6,000*l.* or 7,000*l.* a year. He believed, if there was a uniform and permanent system of paid guardians, both the ratepayers and the poor would be better satisfied.

The Earl of LUCAN said, he would acquiesce in the measure without at all giving an opinion upon the point which had been referred to by the right rev. Prelate. A suggestion had been made, that, before the Poor Law Commissioners dismissed a board of guardians, application should be made to the Court of Queen's Bench to proceed by *mandamus;* and he was not sure that great advantages might not result from such a practice. He had had some experience in the working of the system of paid guardians. In the county with which he was connected there were four unions under the management of paid guardians, and great complaints had been made of the mischief they had done from their want of local knowledge.

Bill read 2ª.

RELIEF OF DISTRESS (IRELAND) BILL.

The Marquess of LANSDOWNE moved the Second Reading of the Relief of Distress (Ireland) Bill.

Lord BROUGHAM said, he did not mean to oppose the Bill. He feared the necessity was so great that it was impossible they could do otherwise than accede to it. Indeed, he feared it was too late to resist the grant, because the money was actually in the course of being paid away in relief—*dum loquimur fugerit.* At the same time, he must suggest to his noble Friends in the Government that it was grievous to have these applications made to Parliament for grants of money from time to time, the Irish living, as it were, from hand to mouth, to provide for what he feared was a permanent evil. The present grant was at once too little and too much—too little to do any permanent good, and too much to avoid the infringement of a great principle. There was one thing to which he would fain call their Lordships' consideration, and that was, to think how they could most avoid accustoming the Irish—or rather, he feared he should now say, how they should most avoid continuing to accustom them—to look for a remedy of this sort at all, in which they were accumstomed to rely upon such loans as these—more or less scanty, more or less precarious—in which they were accustomed to rely upon any one supply for their hard necessities, other than the natural and wholesome and legitimate supply which their own exertions, through their own industry, ought to furnish, and alone ought to furnish. They might rely upon it that country was in a false position—that people was in an unhappy state—that national polity was in a most diseased condition—in which reliance was systematically placed for any other supplies of the people's wants than the exercise of the people's industry. It had, unhappily, become the case—he did not mean to blame the Government—he did not mean to blame even the system—he did not impute it to the conduct of the landowners—he did not impute it to the conduct of the peasantry—God forbid that he should impute it to the national character, for which he had the greatest affection and respect: but it had happened from one thing or another—be it from the system—be it from a long abuse of the powers of the law—be it from the tardy rendering of justice by an equality of rights—be it from the conduct of the landowners—be it from the ignorance or the indolence of the peasantry—be it from the system of middlemen—one thing or another had produced that unhappy state of things in the sister kingdom, that they were, less than any other people we know, in the habit of relying upon their own exertions, and, more possessed of the kindred habit which naturally arose in the absence of the other, of looking elsewhere than to their own exertions for a supply of food. How this was to be remedied—whether by carefully adopted improvements in the polity of the country, by giving every facility to labour, by removing all impediments to the traffic in land—at the same time by giving as little encouragement as possible, or rather by giving as little additional stimulus as possible, to that diseased craving for the possession of pieces and patches of land—for he looked upon that as the curse of Ireland, and he knew it was not confined to Ireland, for he was acquainted with a part of the Continent where there was the same inordinate desire for specks of land, which was ruining agriculture, and which would ruin the people too, if they increased in anything like the rapid progress they did in Ireland—whichever of these might be the true remedy, or whether all of them combined, he would not now discuss; but he thought every effort should be made to withdraw them from a desire for the possession of these specks of land; for while that was in the minds of the people, they knew, by sad experience, that one of the results would be a low estimate of competence. Now, the higher the idea the people had of what constituted a competence, the happier that people would be—the more comfortable they would be—the more industrious they would be—and the more productive in the fruits of industry they would be. But if men were to indulge in the feeling that they could keep soul and body together by boiling a few roots, and sprinkling a little salt over them, what they would come to would be this: in the first place, they would live miserably; in the second place, they would live indolently, for they would labour no more than what served to cultivate those roots; in the third place, their numbers would increase, not according to the resources of the country, but according to other rules, to which he would not advert there; and, lastly, they would live in a diseased as well as a degraded state, as long as they had that low estimate of competence in their minds. How these alterations were to be made, though the subject had occupied his mind for long years, he would not then discuss; but he could not avoid expressing his hope that this would be the last application of the sort made to Parliament, and that before a second application became necessary, other and better sources of supply might be pointed out.

After a few words of explanation from the Marquess of Lansdowne and the Earl of Wicklow,

Bill read 2ª.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, March 5, 1849.

Minutes] Public Bills.—1° Clergy Relief. 2° Spirits (Ireland).

Petitions Presented. By Mr. Brotherton, from the City of London Trade Protection Society, in favour of the Insolvent Members Bill.—By Mr. Alexander Hope, from the Parish of Horsmonden, in the County of Kent, against the Parliamentary Oaths Bill.—From the Parish of St. Pancras, Middlesex, for the Adoption of Universal Suffrage.—By Mr. Bouverie, from a Public Meeting held at Spa Fields Chapel, in the Parish of Clerkenwell, for an Alteration of the Law respecting the Church of England Clergy.—By Mr. Alderman Humphery, from the Congregation of Baptists, of the Parish of Gamston, Nottingham, for the Discouragement of Idolatry in India.—By Mr. Alexander Hope, from the Parish of Kemerton, Gloucester, against the Marriage Bill.—By Viscount Ebrington, from Members of the Plymouth Law Society, for a Repeal of the Duty on Attorneys' Certificates.—By Mr. Brotherton, from the Guardians of the Bury Union, Lancashire, respecting the Lancashire County Expenditure.—By Mr. Meagher, from the Borough of Waterford, for the Abolition of Ministers' Money (Ireland).—By Mr. Wilcox, from the Reform Association of Southampton, for a Reduction of the Public Expenditure.—From the Taff Vale Railway Company, respecting the Tax on Railways.—By Mr. Baines, from the Guardians of the Wellington Union, in the Counties of Somerset and Devon, for Rating Owners, in lieu of Occupiers, of Tenements.—By Viscount Bernard, from the Parish of Knockarilly, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Reynolds, from Inhabitants of the King's County, for an Alteration of the Law of Landlord and Tenant (Ireland).—By Mr. Gibson Craig, from the Royal College of Physicians of Edinburgh, respecting Assistant Surgeons in the Navy.—By Colonel Lloyd Watkins, from the Board of Guardians of the Brecknock Union, for the Suppression of Mendicancy.—By Mr. William Fagan, from Merchants, and Others, interested in the Shipping in Cork Harbour, against the Proposed Measure, respecting the Merchant Seamen's Fund.—By Mr. Reynolds, from the Lord Mayor, Aldermen, and Burgesses of Dublin, for Extending to Ireland the Municipal Corporations Act.—By Mr. Bouverie, from Shipbuilders and Others, of the Royal Burgh of Dumbarton, and by other Hon. Members, from a great number of Places, against the Navigation Bill.—By Mr. Ellis, from the Leicester Chamber of Commerce, for a Repeal of the Navigation Laws.—By Sir G. Strickland, from the Board of Guardians of the Preston Union, for an Alteration of the Poor Law.—By Mr. Richard Fox, from the High Sheriff and Grand Jury of Longford, and by other Hon. Members from several Places, against the Proposed Rate in Aid (Ireland).—By Mr. St. George, from the Guardians of the Ballinasloe Union, for an Alteration of the Poor Law (Ireland).—By Mr. Blewitt, fron the Borough of Monmouth, for the Suppression of Promiscuous Intercourse.—By Mr. W. Fanan, from Inhabitants of the City of Cork, and its Vicinity, for a Better Regulation of the Salmon Fisheries (Ireland).—By Mr. Reynolds, from the Depositors of the St. Peter's Parish Savings Bank, respecting the Savings Banks (Ireland).—By Mr. Grenville Berkeley, from the Inhabitants of Kingswood, near Bristol, and by other Hon. Members, from several Places, for Referring War Disputes to Arbitration.

HARBOUR AND LIGHT DUES.

Mr. WAWN, in putting a question to the right hon. the President of the Board of Trade, observed, that since the admission of foreign vessels under reciprocity treaties into British ports on payment of the same dues as British vessels, the additional or double dues formerly charged had been paid out of the Consolidated Fund. He wished to know whether in any contemplated change of the navigation laws those dues which had been guaranteed by charter and Act of Parliament were to be abolished?

Mr. LABOUCHERE replied, that there was no intention on the part of the Government to confiscate those rights which were enjoyed, under Act of Parliament or charter, by certain corporations in respect to the dues which, previous to the reciprocity treaties, were paid by foreign vessels, and which were now paid out of the Consolidated Fund.

THE NAVIGATION LAWS AND THE UNITED STATES.

Mr. Alderman THOMPSON rose to put a question, of which he had given notice. He found in the correspondence with foreign States, which had been laid on the table, in reference to the proposed relaxation in our navigation laws, a letter from Mr. Crampton to Mr. Buchanan, the United States Minister, dated January 16 last, in which was the following paragraph:—

> "Although the proposed Bill did not attempt to make the relaxations in the British law strictly dependent upon the legislation of other countries, yet the general policy of each State will be a matter of consideration when such relaxations are in question; and I am instructed to ascertain at the earliest possible period, whether the United States will be prepared to accept advances made on the part of Great Britain for placing the ships of the two countries on a footing of equality, with the single reservation of the coasting trade; or whether the United States Government would prefer to reserve any particular privileges or exemptions to their national vessels, on the understanding that they may thereby render it impossible for this country to concede to the United States shipping the whole of the advantages which will, under the contemplated measure, attach to the shipping of such States as may place British and national vessels upon a footing of more perfect equality."

He now wished to know whether any answer to that letter had been received from the United States Minister; and, if so, in what spirit the offer had been met?

Viscount PALMERSTON: No official communication has as yet been received in reply; at the same time, Her Majesty's Government have no reason to doubt that such official communication, when it does come, will be couched in the same friendly spirit, and marked by the same conciliatory disposition, as is expressed in Mr. Bancroft's communication.

THE WAR IN THE PUNJAUB.

Mr. HUME said: Seeing the noble Lord at the head of the Government in his place, I wish to ask him a question, but I feel considerable difficulty in shaping it in such a way as to obtain sufficient information; but, Sir, after the statements which we have seen in the *Gazette* of Saturday last, and in the *Gazette* prior to that, relative to the affairs of India, the state of that country can no longer be a matter of indifference to every man who looks to the future. I should be sorry needlessly to prejudge any man, and particularly one who is not present to answer any statements that might be made; but certain facts which are developed in the despatches which were received three or four weeks ago, without any relation to the late melancholy transactions that have taken place, authorise me in inquiring whether Her Majesty's Ministers have taken any measures to place the army in India under such command as shall obtain the confidence of the men, and secure all those advantages of art and science which we, as a civilised nation, possess for the purposes of warfare? It appears from the despatches, that in recent events those advantages were not used; and I do hope, therefore, that Her Majesty's Government will state what measures they have taken to ensure better success for the future.

Lord J. RUSSELL said: There can be no doubt that the state of our military operations in India must be a matter, not certainly of indifference, but of the deepest interest, to every Member of this House. I can, however, only state at present, that Her Majesty's Government, after considering the intelligence which has been received, have humbly offered to Her Majesty that advice which they think best calculated to meet the emergency which at present exists in that part of Her dominions. But I have not as yet received Her Majesty's reply to the advice which I have humbly tendered to Her Majesty; but as soon as that answer is received, and can be with propriety communicated to this House, I will lose no time in laying it before it.

NAPLES AND SICILY.

Mr. URQUHART inquired when the papers relative to the presence of Admiral Parker in the Bay of Naples would be ready?

Viscount PALMERSTON said, he had been asked on a previous occasion whether he had any objection to produce the correspondence which led to the appearance of Admiral Parker's fleet in the Bay of Naples last July? He should like to know with what view the hon. Member asked the question. Would he state if there was any fair point he wanted to establish? If he merely wanted to establish the fact, ay or no, of the arrival of Admiral Parker's fleet in the bay, he (Viscount Palmerston) would have no objection to give short extracts of a despatch from Admiral Parker, showing that fact; but if he wished for the whole of the correspondence between Lord Napier and Admiral Parker in detail, it was, he feared, so much mixed up with the general correspondence on Sicilian affairs, that he must ask the House to allow the papers to be printed and presented all together; and no great time could elapse before he would present them.

MR. URQUHART explained that the object he had in view was to get at the real facts of the case, not only with respect to the mode of communication between Admiral Parker and the Neapolitan Government, but as to the cause of the presence of the British fleet in the Bay of Naples in last July.

VISCOUNT PALMERSTON replied, that he would lay on the table of the House extracts such as he had stated, showing the grounds on which Admiral Parker arrived in the Bay of Naples; and he thought that probably he should be able to produce an extract of another despatch, in which Admiral Parker stated that the negotiations had been satisfactorily concluded. [MR. URQUHART: How soon?] In a very few days.

Subject at an end.

ECCLESIASTICAL COURTS.

MR. HORSMAN said, the right hon. Gentleman the Secretary of State for the Home Department had stated a few nights since that a measure was prepared with reference to the abuses of the Ecclesistical Courts. He wished to know whether it was in such a state as to enable the right hon. Gentleman to give a synopsis of its provisions to the House?

SIR G. GREY replied, that his answer on a former night had not been correctly stated by the hon. Gentleman who had asked the question. His answer had been, that a measure on the subject was in contemplation, but that it had not, as yet, been prepared; and, therefore, it would be premature on the present occasion to enter either into its principles or details. The Bill, however, was in an advanced state of preparation.

MR. HUME said, that perhaps the right hon. Baronet would have no objection to answer this question, Whether the Bill would have the effect of abolishing the Ecclesiastical Courts altogether? That was the point.

SIR G. GREY said, he should be setting a bad example were he to enter into any details.

OFFENCES (IRELAND) BILL—MR. BERWICK.

MR. J. O'CONNELL wished to mention that he had that morning received a letter from Mr. Berwick, with reference to the Offences (Ireland) Bill, which the hon. Baronet the Member for the city of Waterford (Sir H. W. Barron) had introduced on Wednesday last. Mr. Berwick stated that he had communicated with the hon. Baronet, and requested him to correct a statement he had made on the day in question. He also stated that he had communicated with the hon. and learned Member for the University of Dublin (Mr. Napier), who possessed an intimate knowledge of the facts of the case. Mr. Berwick wished it to be distinctly understood by the House that he had not acted in the manner alleged in the course of the debate; and he not only thanked him (Mr. J. O'Connell) for what he had stated on Wednesday, but he bore him out in every particular.

POOR-LAWS (IRELAND)—RATE IN AID—ADJOURNED DEBATE.

The House went into Committee.

MR. B. OSBORNE began by saying, that whatever difference of opinion there might be as to the resolutions brought forward by the noble Lord at the head of the Government, he believed it would not be disputed that the case had been fairly put to the House by that noble Lord—or that, divested of all artifice and rhetorical verbiage, the simple fact was, that the poor-law had entirely broken down in the western districts in Ireland; and that the noble Lord now came down to the House to ask them to levy a contribution on the north and south of Ireland to support the poverty of the west. Now, if he could believe that the noble Lord and his hon. Colleagues entertained any clear conception, or possessed any general knowledge, of the great difficulties with which they were surrounded—if he thought that they had any grasp over the details of this measure, he should now refrain from making any observations upon what he thought must, at best, be considered a very objectionable measure.

He did not, however, believe them to be capable of grasping the tremendous difficulties with which they were surrounded; and as it appeared that there was no chance of the Government laying down any permanent foundation on which to establish a better state of society in the western districts of Ireland, and as they appeared to be administering a palliative, rather than attempting a cure, he thought it became the duty of the House to pause before it entered upon a course of policy which, whilst it would waste the energies of the southern and northern unions, would not confer any benefit on those of the west. Now, in the outset, he must protest against this system of levying rates for the mere purpose of giving eleemosynary aid to the unions of the west, or of any other part of Ireland. By shrinking from the difficulties which surrounded them, and by continuing this system of occasional doles to the people of Ireland, they would only bring on new and augmented difficulties. Before entering more minutely into these resolutions, he wished to say, however, that he could not sympathise with the opposition which had been offered to this measure by those hon. Members who were more immediately connected with the north of Ireland. It seemed to be altogether forgotten by those hon. Gentlemen, that there were provinces and counties in the south of Ireland whose loyalty, religion, and virtue were quite on a par with those of the north. In those counties might be found gentlemen who would not throw up their commissions, and tenants who would not take down their muskets. Such persons, he believed, might be found in the south of Ireland, whose only request to the House was, that they would take an impartial view of their case, and pause before they overburdened them with fresh liabilities and taxation. When the noble Lord said, the other night, that there was no alternative but this measure, he (Mr. B. Osborne), in his private capacity, could not resist the force of such an appeal. The noble Lord said there was no alternative between a grant of money and the lives of the people of Ireland. Now, that was an announcement calculated to place a mere private Member of that House in a very painful position. The House, however, had other duties to perform, and would meet the case put by the noble Lord, who had no right to come down and ask "What else can be done?" It was for the House to say what the Government might have done by providing proper precautions against this calamity. For how stood the case? The Government had been aware of the approaching crisis, and the wants of these Irish unions; but they had delayed calling Parliament together on the subject, contenting themselves with rushing to that refuge for the destitute, the Consolidated Fund, and asking for a vote of 50,000*l*. He blamed the noble Lord for this delay. Other measures might have been taken; and the humanity or charity of that House ought not to be impugned, because they objected to the course proposed by the noble Lord. On the occasion of the last vote for 50,000*l*., the right hon. Baronet the Member for Ripon, whom report had stated to have been in treaty with the Government with respect to a seat in the Cabinet—that right hon. Gentleman, with that judgment for which he was so remarkable, declared that in voting for the grant, he did so on the understanding that it should be the last. The right hon. Gentleman had also said, that he should like to hear from the Government some account of those comprehensive and remedial measures of which the country had heard so much during the last ten years, and when they would cease to run after the *ignis fatuus* they were now pursuing. But what had been the consequence of that vote? Why, that the noble Lord suddenly came down to the House, and, without any intimation to the Irish Members, proposed this plan of counter-irritation, which was so comprehensive, that it created universal discontent in the north, and so remedial, that the hon. Baronet the Member for Radnorshire had declared that it would not keep the people alive for more than a few weeks longer. But he should like to know what other measures the noble Lord had in view for the permanent relief of these western districts. It was not sufficient that the people should be merely kept alive. What were those measures? The House, he thought, was entitled to a distinct and definite answer to this question. The present state of things must continue so long as the people in the west of Ireland remained in the state in which they now were—so long as you had only one set of men able to administer, or supposed to be able to administer the Executive in this country—so long as the opinion prevailed, that the Gentlemen of the Carlton Club could not succeed to those of Brookes's, so long would the world see the Chancellor of the

Exchequer lamenting such a state of things, and crying *date obolum Belisario* —so long would noble Lords ask for Committees of Inquiry, and propose resolutions for rates in aid. He, for one, protested against the continuance of such a state of things. It was all very well for hon. Gentlemen to say that this money would be repaid; but no one who knew Ireland could say that there was any security on which to rest for the repayment. To make an honest confession, he would state that he did not expect the money would be repaid; and he thought hon. Members would do well to pause before they voted money to Ireland under such an impression. With respect to these resolutions, he thought it would be difficult to find a precedent for their introduction. Now, what was the case with respect to Ireland? The poor-law unions, people of all classes, of all creeds, of all politics, complained that the taxes engendered by this system of poor-laws were so intolerable and oppressive, that they had the fatal effect of throwing the greater part of the land out of cultivation. Petitions against that law had last year been presented from all parts of Ireland; and the hon. Member for Portarlington asked for a Committee of Inquiry into the working of the law. The Government refused the Committee; but now, after the malady had eaten into the vitals of the land, the Government were proposing the very same thing. But capital had gone, and the inquiry which the Government now volunteered was a mere inquest on the *caput mortuum* of Irish energy and capital. Now, what had been the course pursued by that Committee? The Committee met to institute an inquiry into the Irish Poor Law. The people were watching the result of their labours, when down came the noble Lord, and, without any previous intimation, proposed his string of resolutions, not to lighten the poor-rates, but to lay an additional load of taxation upon those unfortunate people, who already complained that they were broken down by the law. There was only one precedent for this proceeding, and that was to be found in the pages of *Gil Blas*. The noble Lord's treatment of Ireland might be compared to that of Dr. Sangrado. Ireland complained of an atrophy of pauperism, and the noble Lord, like the doctor, recommended depletion. The people, like the patient, wasted, and the noble Lord recommended more hot water and depletion. One word as to this rate in aid, and its sufficiency to meet the object. Now, he found that the liabilities of the twenty-one unions were within a few pounds of 600,000*l*., and that the money expected to be levied under this rate was not expected to be more than 252,000*l*. Granting that this rate in aid would maintain the people for a few weeks, the noble Lord had said nothing as to the hundreds of other unions which would be thrown upon this resource. He, therefore, asked the Government, what other measures they had in contemplation for other unions as they should fall in? The hon. Member for Stroud, who had paid great attention to this subject, had made a curious calculation, showing that out of a population of 8,000,000, 6,000,000 subsisted on the potato. Of these, the same hon. Gentleman calculated that 2,500,000 were destitute and in want of employment. Now, taking the calculation of 1844, that the cost of maintenance was 1*s*. 9*d*. per head, it would take 11,375,000*l*. per annum to support this pauperism, the net rental not being more than 5,000,000*l*. Could the noble Lord, therefore, when he came down to that House with his sixpenny rate in aid, have duly considered this question? Would this great sixpenny measure emancipate the people from their misery? Lord Hale, in speaking of the 43rd of Elizabeth, said "that the plaster was not so large as the sore." Now, in his opinion, the noble Lord's plaster was not so large as the sore. What did the noble Lord propose? Granting that the estates of the landlords were to be carved out for the support of the pauperism in the west, it could not be supposed that this source would last for ever. Those estates were not inexhaustible, but would soon be consumed. When this rate had been doled out to the people, when the landlords were unable to contribute any longer, did the noble Lord propose to fall back again upon the people of this country? The rateable property in Ireland, supposing the potato to be grown, was 13,000,000*l*.; the net rental of Ireland, under the same circumstances, was 6,000,000*l*. But that rental could not be assumed now; he believed it was at present considerably under 5,000,000*l*. These facts should be considered by the House, when they were going to vote a rate in aid. The noble Lord had said that Ireland should pay this rate because she was exempt from income tax. Now, he (Mr. Osborne) thought that question was quite distinct from the principle of these resolutions. The first canon of Adam Smith was, that a people should contribute to the revenue in proportion to their means. But even before the famine, the Irish people were unable to pay any proportion at all. The great question of inequality of taxation would be a very fair one for a Committee; but if the principle of hanging first and trying after were adopted, a Committee would not be of much use. It was no argument to say, that because Ireland did not pay income tax, that such a rate as this should be imposed on her. He was surprised the other night at the doctrine broached by some Irish capitalists in that House, of great wealth and extraordinary philosophy—Gentlemen who were bursting with philanthropy, and who said, "Give us this rate in aid! Tax the landlords; they are accustomed to it; they deserve no pity; but don't touch any other class." Those Gentlemen—the hon. Member for Cork included—did not reflect upon what those landlords had gone through, or how they had suffered. They did not reflect that those landlords were suffering for the faults of others. To those Gentlemen he would say, *Nemo tam paruis quin prodigus exalieno.* At present these landlords were not receiving one quarter of their rents; and yet one hon. Baronet, late a Member of that House, had paid as much as 5,000*l.* last year in the shape of rates; and other Gentlemen were paying even larger sums. But hon. Gentlemen said, the landlords were used to it. The poor-law must be remodelled, and the entire property of Ireland made available. In the reign of Elizabeth, it might be very well to tax the land alone, because there were no other sources of income; but now capital—protected capital of every description—should be made to pay its quota towards these burdens. With respect to the present proposition, he thought the House should exact some guarantee that the money should not be spent simply in eleemosynary aid, but should be devoted in furtherance of home colonisation, accompanied by emigration. Let not the money be thrown, as it were, into a bottomless pit; let not the people be kept in idleness, and the country left untilled. Members for English constituencies ought, therefore, to pause before they imposed a rate upon the land alone in Ireland, or they would assuredly, at no very distant period, find, as the Commissioners had well expressed it, that the whole of Ireland would eventually be compelled to lean upon England for support. The right hon. the Chancellor of the Exchequer said, the other night, that he did not believe that Ireland was over-populated. This was very true, taking its extent of square miles as compared with other countries; but it could not be doubted that, in many spots best adapted for the growth of the potato, too many people congregated together, and whenever the potato failed, they were deprived of all means of support. The evidence of one of the witnesses, in the Commissioners' report, bore out this view of the case. When asked what was the cause of the extreme poverty of a district of this kind, he replied, "From the incompetency of the land to afford so many persons the means of subsistence." [An Hon. MEMBER: A very foolish answer!] If the hon. Gentleman knew the sort of soil—half sand and half bog—in which the potato flourished, he would not think that a "foolish answer." From his own experience of these districts, he was confident they might go on for ever taking money from the north and south, to support the people in the west; but whilst such masses of population continued crowded in particular districts, they could never be supported by the produce of the land. What, then, was the duty of the Government? Why, if it was to levy additional taxation, home colonisation should be adopted, or the people should be assisted to emigrate to other parts. Mill, the great master of the political economists, recommended this very plan, in contemplating this state of things. He stated that the whole produce of the western unions, leaving nothing for rent, would not keep permanently in existence the whole of the population, and they would necessarily remain an annual charge upon the taxation of the empire, until they were reduced by emigration or by starvation to a state corresponding with the low state of industry among them, or until some means were found for rendering their industry more productive. Now, if the noble Lord's Government was worthy of the name, it was bound to come forward with some definite plan by which the people should not be supported by eleemosynary relief, but by which they might be placed in a situation where they would be a credit to themselves, and all these enormous sums of money should not be wasted upon them. It seemed a very fashionable doctrine to say that because they had given Ireland a poor-law, therefore, they had done their duty; but that law, so far from adding to, tended to diminish the resources of the country. He himself farmed in a small way, in several electoral divisions; and last year he was obliged to pay 1,000*l.* of poor-rate; and the consequence was, he was compelled to discharge his labourers. The money was taken from the labourers; and yet the House and the country were told that a poor-law had been granted to Ireland, and that its property must support its pauperism. He maintained that that was a most dangerous doctrine; and they might talk as they liked about Louis Blanc-ism, or Poulett Scrope-ism; but what was this but manifestly a system of "legalised communism?" He knew he should be told, "These objections are all very well; but what have you to propose?" The Government went a begging for suggestions, and therefore he would volunteer to offer a few. The hon. Baronet the Member for Radnorshire had relied mainly, as a remedy, upon the reduction of the area of taxation, and doubtless that must be reduced, if they were to go on with the present system; but nobody would venture to affirm that reducing the area of taxation would materially benefit the population, or promote the well-being of the landlord. They must have other measures; and what were they? The noble Lord was bound, long ago, to have introduced a Bill to enforce the sale of lands that had not paid their proportion of the poor-rate. It was one of the grossest of fallacies to suppose that the poor-law would promote the sale of lands in Ireland. The fee of the land was not liable for the rate, but the produce was; and the noble Lord ought to have shown some of that boldness in legislating upon this question that characterised him as a speaker. But he would now offer another suggestion. The papers before the House showed that in all these unions, one of the reasons given for the non-collection of the rates was, that a great deal of the property was under the courts. Now there was upwards of one million of rental under the courts; and all that had been spent in improvements upon these properties that were under the receivers was not more than 2,000*l.*—5*s.* per cent per annum. Again, upon a portion of rental, amounting to 100,000*l.*, not a single sixpence had ever been laid out upon improvements: and yet they were told that the rates upon these estates could not be collected. Let them thoroughly remodel the whole system with regard to property under receivers in Chancery, and then they might collect the rates without difficulty. The hon. Member for the city of Limerick had recommended a discriminating rate between pasture and arable land; but the House would surely never think of going back to such an antediluvian scheme as that. Ireland had been truly called a country possessing aristocratic social institutions, and yet without any aristocracy. At page 29 of the report was a most forcible instance of this. It detailed the case of one of the largest landed proprietors of the union, who had been so reduced, that all he had to support himself and his family from was the milk of two cows. The cows were seized for debt, but were redeemed by a friend, out of compassion for the man's children, who were suffering from hunger. Still, however, the produce of the soil being all that could be obtained to satisfy the arrears of rates, the cows were afterwards taken by the collectors. What, then, was to be drawn from that fact? The country was so reduced that they could no longer maintain their laws of real property there. They must adopt the recommendation of the able work of Mr. Pym, and free the land from all restrictions, and make it an article of sale. The modes of transfer and titles must be simplified, and the consequence would be, that the land would fall into the hands of capitalists able to cultivate and improve, not for their own benefit only, but for the good of the country at large. Perhaps the noble Lord would think this too bold a measure, and would prefer the system of asking for these occasional doles; but he would tell him that it was only bold measures that were adequate to deal with the difficulties of so extreme an occasion. The noble Lord, the other night, had indulged in some brilliant anticipations about the future state of Ireland. He told them, at no distant period, he believed, she would become happy and prosperous. And what did he base his dream upon? Why, he had told the House that when the starving population should crawl, like famished rats, from a barren soil, new modes of cultivation would be introduced, and almost spontaneous harvests would be gathered in. [Lord J. RUSSELL: I said nothing like it.] He had drawn a comparison between the case of Ireland and the western districts of Scotland, where the article of kelp having failed, the people left the spot, and held out some consolatory hopes to the people of England that it was very likely many of the Irish people would transplant themselves to this country, and then all was to go "merry as a marriage bell." For his part, he had been driven to the cheerless conviction that so long as the destinies of the empire were swayed by the present combination of parties, so long would Ireland have no other hope left her but in looking to the revival of that root which was the cause of her present destitution; and that England could effect no escape from the baneful results of that union which, at no very distant period, must instil the seeds of the sister country's pauperism and disease into her more healthy and less corrupted frame also. He must vote against this proposition at present, because it was a petty and mischievous expedient; but if the noble Lord would really come forward with some plan equal to the urgency of the occasion, no one would be more ready to give it his warmest support.

Sir R. PEEL: Sir, without one word of preface, I will address myself immediately to the two main questions now submitted to our consideration. The first of these is—in the present state of Ireland shall we leave the people to be supported exclusively by the resources of the union or electoral division in which they live? —the second, if we are of opinion that some extrinsic aid is necessary, from what source shall that aid be derived? Sir, I cannot reconcile myself to give a vote which shall throw the sustenance of the people of Ireland, in the present condition of that country, upon each individual union. I have read these papers. I have seen the exertions that have been made in many of these unions to provide for the support of their own poor; and I think a great injustice has been done in this country to the landed proprietors of Ireland. I find conclusive evidence that in many parts of Ireland, at least, most strenuous local exertions have been made — that there has been a willing submission to the law—and that if the whole amount of the rate has not been paid, it has been owing to the absolute impossibility of paying: and, therefore, to attempt to create a prejudice against the Irish proprietors, on the part of this country, is unfair and unjust. Not that I deny that in many cases there has been great impropriety of conduct, or that individuals have tried to escape from the burdens they ought to have borne; but the indiscriminate censure passed upon the landed proprietary of Ireland, after the strenuous exertions which the papers before this House show them to have made, is undeserved. I am satisfied by this evidence that if you do refuse all extrinsic aid to the distressed unions, the consequence must be the loss of life by famine, and the spread of disease, cramping the energies of those who are endeavouring to support themselves. I cannot believe, whatever we may think of the results of our past policy, that the British House of Commons will consent to adopt that frightful alternative. I am quite willing to admit that the system of indiscriminate relief has the lamentable effect of destroying habits of self-reliance, and of discouraging industry—that the true lesson to teach a man who is able to work, and particularly an Irishman who is able to work, is that it is much better for him to rely upon his own exertions for his support, than to be dependent upon charity for the means of subsistence. But, granted that our policy has been unwise, what answer have we to make to the individual sufferers—to those whom we have taught to rely upon others, and not upon their own exertions? If our policy has been wrong, we are responsible for the error. Those who are now suffering from actual famine, are not the parties upon whom we can with any justice inflict the penalty. At the same time, Sir, when we speak of the impolicy of our past contributions for the maintenance of the Irish people, we must not forget that we have been placed in a position for the last three or four years that has no parallel in history. The subsistence upon which millions of the population rely has for three or four successive years, contrary to our hopes—perhaps unjustifiable and irrational hopes — been swept away; and you have had many millions of persons thrown upon your hands, not from idleness or unwillingness to work, but in consequence of the failure of that species of food upon which they exclusively depended; and, therefore, Sir, we may have been compelled hastily to adopt courses which, had there been opportunity for foresight, and for provident precautions, we should not have pursued. But the people have been taught to rely for their subsistence upon our benevolence and charity; and I, for one, cannot consent, from whatever source the aid may be derived—whatever may be the consequence of teaching the people continued reliance upon that aid instead of upon their own resources and industry—I, for one, cannot consent to adopt the dreadful alternative of leaving them exposed to death from starvation or disease. I therefore gave my vote for the 50,000*l.*

grant; and I do not hesitate to say—whatever other measures I might advise for averting future evils and preventing future demands upon the national resources—that I would rather give another similar vote, than leave these persons to fall victims to disease and death. The second question is—from what source shall the aid required be given? The other parts of the empire have a right to call upon Ireland to make some strenuous effort to rescue herself from the present evils. I do not rest the demand upon Ireland for this strenuous effort upon the ground that taxation in Ireland is unequal, as compared with that of this country. If you rely upon the argument that Ireland, as compared with England, is unequally taxed, the conclusion that logically you must arrive at is—apply equal taxation to both. If Ireland ought to bear the assessed taxes, and the duties upon bricks and soap, or that she should be subject to the property tax, I, for one, will not consent to let Ireland escape from her obligations to contribute equally with England, by simply demanding from her a sixpenny rate in aid. If she is able to bear it, I should certainly claim from her the full amount to which she is justly liable. Why, in the case of equal ability, should we subject real property to a particular impost, but exempt personal property from that quota which, *ex concesso,* I am assuming it ought to bear? It is upon other grounds that Ireland ought to make a great effort to meet the tremendous evil connected with the present state of distress, and with the administration of the poor-law. In this country we adopt the principle, when a parish is manifestly unable to support the poor within it, of subjecting the vicinage to contribution for the purpose of relieving that distressed parish. We do not say to Ireland, "Here is a district in Cornwall or in Devonshire unable to support its own poor, and therefore we call upon you to contribute your share from the public revenue to meet this case of distress." No; we take the next parish, and require it to supply the deficiencies of its neighbour; and if the next neighbour cannot give any help, we extend the circle of compulsory contribution till relief be procured. Now, at first sight there is no great justice in this. Why should we, on the mere ground of vicinage, subject a district that maintains its own poor to the additional burden of supporting its neighbour, with whom it has no concern? Now, in Ireland, were we to adopt the same course, there could be no just ground of complaint. It would be the application to Ireland of a principle on which we act ourselves; but the consequence, I am afraid, would be to go on extending the area of distress. A rate in aid extending at once over the whole of Ireland is therefore a more appropriate mode of relief, than a rate in aid commencing with the vicinage, and gradually spreading until relief can be had. There is another ground why we have a fair claim to call upon Ireland for a vigorous exertion. I wish to know on what principle Ireland refused to repay the loan for the construction of union workhouses? We advanced 1,200,000*l.* for the erection of workhouses in Ireland. We consented, at the same time, to advance certain sums for the erection of union workhouses in this country. These advances so made to this country, were to be met, I believe, by the payment of 4 per cent by way of interest, and 2 per cent to form a sinking fund for the reduction of the principal. Now I have never heard of any case where an English board of guardians has said, "It is very inconvenient for us to repay the money, and therefore we won't do it." It is said that we cannot levy a rate of this kind in Ireland, excepting at the risk of a rebellion. When they remember the willing aid rendered by this country, both by private contributions and by public votes, I hardly believe any Irishman, certainly no Member of this House, would counsel his countrymen to resistance. But what has become of the repayment of this 1,200,000*l.* advanced from the Imperial Exchequer to Ireland? It was a very great relief to the unions to have this advance taken out of the Consolidated Fund. It was advanced by Parliament, under the full conviction that it would be faithfully repaid. Well, I believe that the whole sum that has been repaid is about 36,000*l.*; and, if I mistake not, there is a general suspension of payment at present—in fact, an actual repudiation of payment. I know there are some honourable exceptions—Newtownards is one; but, strange to say, many prosperous and solvent unions in the north make use of this argument, "What have you collected from the south? If you have collected nothing from the south, we in the north shall not pay." Now, if Ireland is content to make a vigorous effort—an effort to repay at once this debt that was allowed to be spread over eighteen or twenty years

—if she will say, "We acknowledge the debt, and are willing at once to pay it, rather than this rate in aid of 6*d.* in the pound"—if Ireland, I say, were to make such an offer, I am not quite sure whether this House would not do well to accept it. [*Loud laughter.*] Why, is not that laugh a decisive argument in my favour? I propose, instead of a new impost, to take the payment of a just debt, and I am met with an incredulous laugh, as if the proposal was manifestly absurd. But if Ireland repudiates the notion of repaying at once a debt that England willingly repays, I shall listen to the other mode — the payment of the sixpenny rate—with much less of unwillingness and hesitation than I might otherwise do. I say again, that if the Irish Members will guarantee the repayment of the 1,200,000*l.* in three months, I will vote against the proposition of the Government. If not, I will vote for that proposition in the absence of any other practical suggestion for relieving, by Irish contribution, the urgent necessities of the poor of Ireland. I, however, wish to advert to matter of even greater importance than the present difficulty, arising out of the wretched condition of Ireland. I am anxious that the House should direct its attention to what may be the condition of Ireland for the future. Suppose the House should consent to impose a rate upon the whole of Ireland, in order to obtain the means of relieving distressed districts from their present difficulty, we shall not thereby be discharged from the obligation, in point of duty, of considering the future prospects of that country. I have read with painful attention the papers which have been laid upon the table in connexion with this subject; and, taking the case of a single union, which, after all, is a fair sample of the others, I will state briefly the unquestionable facts presented by these papers, given to us from the highest official sources, and then call upon the House to consider what are the prospects of Ireland after present relief shall be extended to that country. The union to which I propose referring, as an example, is that of Ballina, and I fix upon it because it is that to which the papers most recently presented refer. Mr. Bourke reports, that on the 27th of January, 1849, there were in the Ballina union 3,270 persons occupying the workhouses, and 18,879 receiving outdoor relief. Mr. Hamilton calculates that the number of persons likely to require relief before next harvest will probably amount to 27,000, including in and outdoor relief; of this number 4,300 are ablebodied, and 14,000 dependants on the ablebodied. The lamentable state of this union cannot fairly be imputed to the proprietors. I ask those who think that the landlords have not made exertions to meet the calamity to read these papers. The amount of rate and arrears in the Ballina union is 17,000*l.*, and 12,000*l.* have been collected—collected, as the two officers state, with little trouble, without the necessity for frequent legal proceedings, and without assistance from military or police. The evidence of landed proprietors connected with the union, shows the exertions they have made to meet the crisis, the number of persons for whom they have found employment, the reductions they have made in their domestic establishments, their willingness to do all in their power to mitigate the distress prevailing in the union. Great credit is due to them for their conduct. The officers employed by the Government state that the striking of another rate, under present circumstances, would extinguish the little hope which is still to be found in the union. One of these gentlemen says, "There are thousands of acres which were formerly occupied and cultivated, which have now more the appearance of having been devastated by an enemy than anything else I can compare them to." We are informed, by the same authority, that the "first failure of the potato crop brought to light the miserably rotten social state of this part of Ireland." Every sentence of their reports is pregnant with alarm:—"The poorer classes are saving potatoes for seed, and would as soon part with their lives as consume them." "The landlords are in dread of the undefined prospect of rates, and are doing as little as they possibly can." "It is very doubtful whether the future success of the potato crop would enable the landlords to pay fair wages for fair work." "If the potatoes succeed, the principal effect will be to raise the price of land, to bring about the old state of things notwithstanding the bitter experience of the last three years." How melancholy is the prospect here presented to us! and recollect, it is not attributable to the apathy or misconduct of the landlords, for they have made every effort in their power to alleviate the distress. There are two points deserving of serious consideration arising out of the state of things described in the papers to which I have been referring: first, the danger of relying upon the potato for the future sustenance of the people; secondly, the circumstance that a large quantity of land is going out of cultivation in the Ballina union. Thousands of acres, we are told, appear as if they had been devastated by an enemy. Whilst we are taking means to provide present assistance to the distressed people, is it not incumbent on us to consider what measures can be adopted for meeting future calamity? There are, perhaps, no means by which such an abundant supply of sustenance for the people can be obtained under existing circumstances as by the cultivation of the potato; but nothing could be more unwise than to rely permanently upon that root as a staple article of food, after the experience of the last three years. In addition to the potato, the inhabitants of the Ballina union were formerly well supplied with fish. The total number of men formerly registered as employed in the fisheries was 2,989; of boats, 485; now, the number of men so employed is only 1,368; of boats, 224; and the boats and gear are described as being in very bad condition. Thus we have every reason to apprehend a diminished supply of food through the abandonment of cultivation. We have before us, also, the prospect that, unless vigorous efforts be made to improve both the moral and physical condition of the people, they will continue to rely upon that which experience has shown to be a most deceitful article of food. We have the prospect before us of a recurrence of that calamity which for anything we know may not be casual, but the result of some mysterious agency, permanent in its operation. It appears to me that the state of the Ballina union—and it is but the type of the rest—suggests matter for grave consideration. There are 27,000 persons to be provided for until the next harvest. It is not without hesitation I venture to offer any suggestion for diminishing the danger which I see in perspective—but I will communicate to the House what my impressions are. Almost the only measure from which I derive a hope of safety is the introduction of new proprietors who shall take possession of land in Ireland, freed from its present incumbrances, and enter upon its cultivation with adequate capital, with new feelings, and inspired by new hopes. I wish for no violation of the rights of property. Nothing can be more easy than to suggest remedies—if we choose to disregard those rights of property—which it is the first duty of a British Legislature to uphold. But at the same time much property in Ireland is, in point of fact, of little value to the proprietors, on account of the encumbrances upon it; and it may be possible for the Government, with the sanction of the House, to devise means by which new capital may be introduced into the cultivation of the land in Ireland, and the existing proprietors rescued from the disappointment and despair in which they are involved. Suppose you were to raise a million in Ireland by the rate in aid—that England contributes another million—how do you mean to apply this money to rescue Ireland from her difficulties? Do you mean to let things go on in the present course? Do you mean to rely on the potato? Will you again run the risk of such reliance? Before doing so, is it not your duty to consider every means by which a better state of things may be introduced into Ireland? I revert to a period when a state of things existed in Ireland, with some resemblance to that which now exists there—I allude to the reign of James I., when the settlement of Ulster took place. At that time a large quantity of land was forfeited in six counties of Ireland, not so large a quantity probably as might now be obtained in the west of Ireland by amicable arrangement with the proprietors—an arrangement devoid of injustice, to which no objection would be made. The lands forfeited after the rebellion of Tyrone, in the counties of Donegal, Tyrone, Derry, Fermanagh, Cavan, and Armagh, amounted to 500,000 acres. The transaction is described in nearly the same manner by all contemporary historians, but I know no better account than that which is to be found in Carte's *Life of Ormonde.* That author says, that—

> "These counties had suffered exceedingly in the war, and were reduced to a very desolate condition. The country was full of woods and fastnesses, which, on favourable junctures, would give encouragement to rebels, and at all times serve as a retreat to robbers. Great numbers of the inhabitants had perished by the sword—much greater by famine; the rest were reduced to so extreme a poverty that they were not able, if willing, to manure the ground; so that the lands laid waste in time of war were likely to continue so in time of peace."

This description, excepting that part which refers to woods and forests, affording shelter to robbers, is not inapplicable to the state of Connaught, and many parts of the west of Ireland. Sir Arthur Chichester was the Lord Deputy at the period in question. He caused surveys to be made, and it was decided that the lands to be planted, as the term was, should be divided into allotments of 2,000, 1,500, and 1,000 English acres, respectively. These escheated lands were disposed of to 104 English and Scotch, 56 servitors, and 286 natives, all of whom gave bond to the Government for the performance of certain covenants. The Lord Deputy caused a parochial church to be erected, and a glebe set out, according to the size of the parish, for each incumbent. The plantation was extended to Leinster. In the course of these proceedings, through the misconduct of the agents employed, great injustice occasionally was done to individuals; but, says Carte—

> "The grievances of particular persons did not prevent the general good intended to the kingdom by these plantations, in consequence of which lands were cultivated and greatly improved, towns and villages built, trade and commerce carried on and extended. The people in general, weaned gradually from their former idle and disorderly life, began to learn and practise civility, to apply themselves to business, to use labour and industry in their several stations, and to relish the sweets of peace."

If it be possible to make any new settlement similar to that of Ulster, my earnest advice—an advice in unison with the universal feelings of the House—would be, that no religious distinctions should be allowed to enter into the arrangement. It may, perhaps, be impossible to apply the principle of the arrangement to the extent to which it was carried in James I.'s time; but unless it be applied to some degree, there is little hope of the future improvement of Ireland. If, after raising a rate in aid, you leave matters exactly as you found them—if you rely exclusively on grants of public money, there is no hope of permanent escape from the calamity which afflicts us; but if, without violating the rights of property, you can place the land in possession of new proprietors, without distinction of religious profession, you will lay the foundation of the future prosperity of Ireland. An Act was passed last Session to give facilities to the sale of encumbered property in Ireland; but I fear that, in consequence of the alterations introduced into the measure in its later stages, its object—that of introducing new proprietors into Ireland — will be, in a great degree, defeated. I offer any suggestion with the utmost hesitation. I make every allowance for the situation in which the Government is placed, by the failure for the last four or five years of the crop upon which the people relied; but I feel this most strongly, that if we are content to vote money, or give a rate in aid extending over the whole of Ireland, and then to trust to the potato, and to the present distribution of property —of property so encumbered, in so hopeless a condition, that thousands of acres are thrown out of cultivation—then at the expiration of the two years for which this rate is to be granted, the state of Ireland will be no better than it is now. I much fear that, if you rely merely on individual sales and purchases, you will make no great advance. Perhaps it might be prudent to appoint a Commission for the purpose of considering the whole subject, and the possibility of encouraging, by their advice and intervention, that change in property which I believe to be indispensable to any great improvement of the country. If you choose to leave the present proprietors in possession of their property, entitled to a nominal rent, encumbered with debt, with every discouragement to exertion, with the land so overwhelmed with charges and arrears of rate that it is impossible to find either a purchaser or an occupant, then I see no hope for the salvation of Ireland. But if, through the Government or Parliament, you can establish some intermediate agent to get temporary possession, on equitable terms, of property in a hopeless state of encumbrance, and then can arrange for the redistribution of it, I should see some hope of improvement. If you do nothing of the kind, what will be our condition? I have given you an account of the Ballina union. I see no better hope for others. If reliance is to be placed on the potato, and you have a good crop, there may be a better state of things for a short time; but each union is acting independently, and unless some great attempt is made to rescue Ireland from the grievous calamity impending— unless you can, by some means consistent with justice and equity, introduce new capital, new views of improvement, new feelings, into that country, in place of the despair and poverty which now overwhelm it, there is but a faint hope of her future regeneration. I would do injustice to no man, but I would try the intervention of a competent authority, acting with the sanction of the Government, and in unison with the Government, taking a comprehensive view of the condition of the whole of these unions, and attempting to suggest the means by which there should be that transfer of landed property which I believe to be the root of improvement in Ireland. Despair is overwhelming the proprietors. The sixpenny rate is merely to administer relief to some of the unions. I object to a pecuniary burden fixed upon the land, which would discourage the future occupant or purchaser. You see what was done in Ireland in the reign of James I. with 500,000 acres in Ulster, the refuge of robbers and assassins—through the division of property, the allotment into districts of 2,000, 1,500, and 1,000 acres. Unless you can give some guarantee as to the future amount of the poor-rate, you will have no purchaser. I have read the rules of the Court of Chancery—they may be very proper rules — but the very sight of them is enough to deter a purchaser from the investment of capital in land in Ireland. Cannot you assist by the intervention of a commission composed of men of the highest character, of men who would gratuitously devote their time to rescue Ireland from this calamity—who would be the medium between the proprietor and the purchaser? The condition of twenty of these unions is so wretched, that you find yourselves either unable to trust the local guardians, or that they are throwing up their appointments, and you are trusting to vice-guardians to administer the poor-law in those districts. Would it not be possible, by the intervention of some such commission as that I have spoken of to assist in solving the legal difficulties, to consider what arrangements should be made for the transfer of property, to suggest the mode in which it could be effected, giving hereafter a title that should not be liable to question, seeking the aid of Parliament for that purpose, for confirming the title in some shape or other, limiting the amount of charge on account of the poor-rates to which those lands should be subject, giving a guarantee, as far as you can, against any disturbance of peaceable possession by agrarian violence, and also against legal disturbance on account of flaws in the title? I, for one, should see with great satisfaction the Government interposing with the intention of redistributing that great estate which is on sale in Connemara—I mean the estate of Mr. Martin. What do I see now? The Government is supporting in idleness 4,000 ablebodied men in a single union. Fertile land is going out of cultivation because the charge upon it is so heavy that no person, as occupant, will cultivate it. What is the prospect, then? The people are clinging to the potato, and, that failing them, there will be left only that most unsatisfactory remedy which the noble Lord offered—an incursion of Irish paupers into Scotland or England. But depend upon it that you will have the ablebodied coming here to interfere with the ablebodied labourers of this country, while all the women and children will be left on the land, demanding relief from the poor-rates. I doubt whether any person will purchase that property to which I have referred (Connemara), without the intervention of a third party, with the uncertainty of the amount of the poor-rate. What is the use of continuing it in the family? I have not the slightest doubt that the present proprietors, whoever they are, would be willing to do what they could for its improvement. They have not the means to improve. They offer the estate for sale. Suppose we had an intelligent commission by whose intervention that property might pass into the hands of proprietors who would employ the poor in the improvement of the estate—(and in the district of Connemara there are valleys as fertile as in any other part of Ireland) —who would open means of communication—who would, if you please, divide it, having a security that for ten or fourteen years to come the amount of poor-rates should not be exceeded—then we might hope to lay the foundation of future prosperity. We might thus infuse new blood into Ireland, new enterprise, and a new division of property; especially if you were to give a stimulus to industry by guaranteeing the future proprietor against being sunk and overwhelmed by an indefinite amount of poor-rate. I see no other mode than some measure of that kind that could be adopted to mitigate the present evil. I doubt whether, under the Bill of last Session, any amount of property has been sold—whether it will be sold, unless you have some intermediate authority between the present proprietors and the new purchasers. When James I. determined upon the settlement of Ulster, he asked the opinion of the highest authority. He consulted Lord Bacon, who, although he knew nothing from local experience about Ireland, wrote a treatise on the plantations in that country, which, on account of his prophetic sagacity, is well worth the consideration of the present race of men, enlightened as they may be by stores of knowledge to which he had not access. James I. was dealing with the resettlement of 500,000 acres. Lord Bacon, consulted by James I., as to the best mode of effecting this settlement, wrote a treatise, in which, as might be expected, there are many most extravagant and fulsome compliments to the sagacity of James I.; but there are also many valuable suggestions. He says—and he might have been writing for the present time—"Of all things a commission is most necessary, both to direct and to appease controversies and the like." That is, he would not trust to the vice-guardians, as you do, acting in divided parishes, without concert, struggling against great difficulty, doing all they can, but still not enough. "The commissioners shall for certain times reside in some habitable town in Ireland, near to the country where the plantation shall be." He foresees that the Secretary of State, jealous of any new authority, would observe, "We need not have a commission for the purpose. There is a capital Privy Council in Ireland, and let it go to them." Lord Bacon, with the habitual sagacity of a man in office, foresaw that that answer might be made to him, and he anticipated it by observing, "When I speak of a council of plantation, I mean some persons chosen by way of reference, on whom the labour may rest. For, although your Majesty hath a grave and sufficient council in Ireland, yet that supplies not the purpose whereof I speak. It will give greater expedition and some better perfection in the directions and resolutions, if the matters may be considered aforehand by such as may have a continual care of the cause." So I advise you to select persons to meet this peculiar difficulty, who shall have "continual care of the cause,"—who shall survey the whole of these unions—devise the best means of effecting the transfer of property consistently with equity and justice—give the future proprietors of property a security against an unlimited demand on account of poor-rates—employ the ablebodied men in Ireland, so long as that necessity exists, in making roads through inaccessible districts, and in cultivating the land which is now thrown out of cultivation. In the present condition to which a great part of the west of Ireland is reduced, I see no other hope than that of the transfer of property to other hands, and I doubt whether that transfer will take place except through the intervention of Government, or some Commission acting in concert with the Government. Now, I hear there are great objections to the proposal of the Government, and a great willingness to come forward, by some mode of contribution other than a rate in aid, for the purpose of relieving the distressed unions. I am very unwilling to exempt personal property from a liability to contribute; and if the representatives of Ireland should be favourable to a tax upon personal property as well as upon land, I shall be most willing to listen to the proposal which was made by an hon. Gentleman, whose suggestions are entitled to the utmost respect from his personal character, his knowledge of Ireland, and his attachment to her best interests—I allude to the hon. Gentleman the Member for the county of Limerick (Mr. Monsell)—most willing to listen to his proposal, and substitute a property tax payable by personal property as well as by land. If I had a property tax so levied in Ireland, I would consent to appropriate the whole of its proceeds to relieve her from her most painful position. If a property tax be imposed on Ireland, I hope it will be for a period sufficient to afford a prospect of extricating her from her difficulties. I look to the west of Ireland with perfect despair, if the present state of things is to continue. I care not whether you get 300,000*l.* or 400,000*l.* this year, and the same sum next year. Unless you make some more vigorous effort to rescue the country from the calamity under which she is now suffering, and the evils now impending over it, her condition at the expiration of the two years will be worse than it is now—her habits of self-dependence destroyed, her people overwhelmed with hopelessness and despair, and property will be more uncultivated and still more unsaleable and valueless. The west of Ireland affords opportunities for improvement which no other part of the world appears to give. I see a great world growing up on the other side of the Atlantic; I see the facilities of communication by railways and by steam. I see every reason why Ireland, if her position in respect to tenure could be improved, should be most prosperous. I recollect some lines in one of the ballads that were published at the time of the unfortunate rebellion in 1798—when men of talent were directing their ability and efforts to propagate disloyalty and disaffection—which contain a spirited description of the position and natural advantages of Ireland—

> "When Erin first rose from the dark heaving flood,
> God blessed the green island, and saw it was good,
> In sun, and in soil, and in station thrice bless'd—
> Her back turn'd to Britain—her face to the west."

Her face will still continue to be turned to the west; but let us try to turn her heart and grateful affections to this country. If you leave her as she lies, she is overwhelmed with poverty and despair. But now, by a vigorous effort, in which every part of the empire shall join, there are opportunities of materially improving her condition, and of extracting from her present calamity and wretchedness the means of future prosperity, of happiness for herself, and of strength to this united empire.

MAJOR BLACKALL referred to the reasons that had been assigned by the Chancellor of the Exchequer for imposing the present rate in aid in Ireland, and observed that he had been one of the Committee appointed to inquire into the alterations and amendments that it might be desirable to introduce into the poor-law in Ireland. He had voted in favour of the grant of 50,000*l.* to relieve the distress in that country, and having assented to the sum being taken from the Imperial Treasury, he did not feel himself satisfied in objecting to further aid being given merely because it came from Ireland itself. The first part of the resolution of the Government referred to the levy of the rate in aid, but it did not stipulate or imply that the sum of 6*d.* in the pound should be levied from every electoral division, but that it should be so levied that every union should contribute a sum equal to that amount. He believed that would be found to press most unfairly upon particular localities, and it would amount to much more than 6*d.* in some of the districts of the union with which he was connected. The great objection he had to it was that it was to be levied, and at least a portion of it paid by the tenant-farmers of Ireland, parties who were at the present moment suffering the greatest distress; and there was great danger arising from the fact that many of those parties were at the present moment totally unable to pay. He would remind the House that those parties would be exempt from the assessed taxes if they were levied in Ireland; and with regard to excise duties they were not liable to them, because they consumed neither hops nor bricks, nor any of the matters upon which these duties were chargeable. The right hon. Gentleman the Chancellor of the Exchequer had no right, therefore, to urge that as a ground for imposing this additional burden upon the tenant-farmers. Then the landlords were to pay the other half; but was it fair to make the landlords pay upon the whole of their nominal income, without any deduction for mortgages, annuities, or anything else? Was it to be expected from the distressed districts in the south and west of Ireland, who were unable to pay the additional 6*d.*? and if they did not, the Government would not obtain the amount they anticipated from the rate. Now, unless the Government was certain to obtain the amount they anticipated, that fact was an argument against the levying of such a rate. The right hon. the Chancellor of the Exchequer said the tax was one that could be easily collected. He thought that a most unfair reason to ground the tax upon. It might be convenient to the right hon. Gentleman to get his money in that way, but he did not think it was quite equitable. Suppose five persons lent the right hon. Gentleman 100*l.*, and that he could easily recover it from one of the parties, it would not be very equitable to do so, instead of making each of them pay him 20*l.* He wished to know why the salaried officers of the Government, and the judges and other functionaries, who had contributed nothing to the poor-rates of the country, should be exempted? It could not be denied that if such a tax was to be levied, it ought to be thrown equally upon all parties in a time of such distress as the present. He thought a great mistake had been made by applying the sums voted for the relief of distress in Ireland to the temporary assistance of those who were reduced by the repeated failures of the potato crop—it was a means of perpetuating the poverty and distress, instead of getting rid of it; and in the mode in which it had been expended, it was clearly shown that they did not know how to grapple with the great evil of that country. He would merely take the case of nine unions in the west of Ireland, and show them how it was that, notwithstanding the large sums expended in relieving the distress there, that at the end of the year they were actually in a worse state than at the commencement. There were the names of Ballina, Bantry, Clifden, Galway, Gort, Connemara, Scariff, Newport, and Westport; and in these nine unions the total number of paupers on the 31st January, 1848, was 69,303, and the number of paupers relieved on the 29th January, 1849, was 119,624, showing an increase of 50,321 paupers in the course of the year. The debt of these unions on the 31st January, 1848, was 34,842*l.*, and on the 31st January, 1849, the debt was increased to 83,188*l.*, showing an increase in the year of 48,346*l.* in these nine unions. The probable expenditure up to the 3rd March, 1849, a period of five weeks, was estimated at 25,157*l.*, while the probable receipts in the same period were 6,380*l.*, so that the sum they would require over the receipts in the course of the five weeks would be 18,777*l.* Now the amount granted in aid of the rates in the year 1848 was 131,360*l.* to those nine unions; the amount of the rates collected was 54,352*l.*, so that they had expended 77,008*l.* over and above the amount of the rates, and had increased their debt by the sum of 48,346*l.*, and had expended in the entire a sum of 234,098*l.*, and increased the number of those paupers by upwards of 50,000, and if they continued to expend all the money thus voted by Parliament, and collected in the shape of rates, for the temporary relief of the distress, they would never advance, and the people would be as far removed as ever from being enabled to support themselves. He complained that the Government seemed to look for a remedy for these evils upon one particular measure, instead of bringing forward a series of measures. The repeated failure of the potato crop had so exhausted the resources of the people of Ireland that they were, at the present moment, in actually a worse condition than they had hitherto been. It was not, therefore, one measure only that would relieve that country from its present distressed condition. He had supported the poor-law because he believed that that should be the basis of other improvements in the condition of the country; but it must be accompanied with other measures. One of these, alluded to by the right hon. Baronet the Member for Tamworth, and in which he fully agreed with him, was greater facilities in the transfer of landed property. There were, at present, great difficulties and expenses attending the transfer of land in that country. Professor Handcock, in a lecture at the Dublin Institution upon that subject lately, had stated in reference to the legal impediments only, that the vendor must produce a sixty years' title to every acre he sold, and gave instances of a property worth 1,200*l.*, costing to the vendor and purchaser no less than 200*l.* to effect the transfer; a property worth 500*l.*, cost one party alone no less than 124*l.*; and a property of 250*l.* cost one of the parties 40*l.*; and he went on with other instances to show that the smaller the amount of the purchase money, the greater in proportion were the costs of the sale. What was required, in order to carry out the Bill of last year, was to authorise the Court of Chancery, when satisfied that the property was brought honestly into the market, to give a legal right of sale, and a good title to the party purchasing, which could not afterwards be questioned. There could be no great injustice in that, as the Court of Chancery would be a sufficient security that no fraud would be attempted. That would induce parties to come forward and make purchases, which at present they were deterred from doing. He knew a case in which a property was bought with the assent of the Court of Chancery, and yet a lawsuit was brought upon it, although the title was perfectly clear. The noble Lord at the head of the Government alluded to the large amount of money which was expended in Ireland. It appeared, by the noble Lord's statement, that during the last two years there was expended upon public works the sum of 500,000*l.* There was also advanced, under the Land Improvement Act, 360,000*l.* for drainage, and 620,000*l.* for railways. There was besides 1,000,000*l.* still remaining to be drawn by those persons who pleased to apply for it, under the provisions of the Land Improvement Act. He could answer, from personal experience, that the drainage measure, under the Land Improvement Act, was one of the best and most advantageous measures that had ever been introduced into Ireland. But there had been drawbacks, from concomitant circumstances, which prevented the attainment of all those advantages that might be expected to flow from it. In many of the distressed parts of Ireland, persons who had obtained loans had afterwards declined to expend the money in the way originally intended, from the want of security for such outlay, and the consciousness of being exposed to a large amount of taxation. He thought, that the purposes to which the fund was applicable were too limited. A portion of the money might very advantageously be applied to the building of farm-houses and of flax and scutching mills. If there was one measure more useful than another, it was one for the arterial drainage of the land of Ireland at this moment. When it was recollected that employment was so much wanted now, it was greatly to be regretted that arterial drainage should have been almost entirely abandoned this year. In his county alone there were 800 persons employed during the last year in such operations; but this year there was not one employed, and these 800 persons with their families were now recipients for relief. Out of 101 districts, where works of this kind had been commenced, 70 of them had suspended them from want of funds. Although 600,000*l.* had been expended upon these works, it would require 800,000*l.* to finish them. As an auxiliary to the poor-law, he thought that a measure of this kind was highly necessary, in order to give the poor-law a chance of working well. Besides these works, memorials had been lodged requiring 1,000,000*l.* more for similar undertakings, whereby the land would of course be greatly enriched, and much employment would be given to the suffering poor. He would press this subject upon the attention of the Government, as well as that for the transfer of land in Ireland. In respect to the money advanced to railways, 500,000*l.* went to one railway, and 120,000*l.* to another, both running in about the same direction. The present Lord Lieutenant of Ireland stated in an address upon the 1st July, 1848, that so great were the benefits to be derived by Ireland from railway communication, to which she was peculiarly adapted, that he thought any well-wisher of the country must burn with impatience to see such works brought to a speedy conclusion; and although he would be content in England to leave these matters altogether to private enterprise, yet looking to the different circumstances under which Ireland was unfortunately placed, he owned himself, under certain limits and restrictions, an advocate for the employment of public aid to the formation of railways in Ireland. His Lordship further said, that being fully impressed with the low state of the finances, he knew this aid could not be given that year, but he hoped that when the Chancellor of the Exchequer was in a more prosperous state, this subject would not be overlooked. At all events, his Lordship added, whether he was in or out of office, he would advocate the advance of public money for the promotion of railway communication in Ireland. Now, he (Major Blackall) would remind the House of the statement made by the right hon. the Chancellor of the Exchequer this Session, to the effect that the finances of the country were in a much better condition than they had been in before. Under these circumstances he hoped that the Government would direct their attention to this important matter, which, if carried out, was so likely to advance the prosperity of Ireland. They had heard a great deal said upon the subject of tenant-right. Of what advantage would any measure of the kind be where people were deterred from taking land from the fear of the large amount of rates that might be imposed upon them? The Church question, he admitted, was one, too, of the greatest importance. He would, however, tell the House that if they removed all the churchmen from Ireland, they would be removing a body of men who, during all the distress that had recently prevailed in the country, had contributed largely to the relief of the people. Many of the Protestant clergymen were the sole mainstay of the poor. In respect to the measure for the proposed enlargement of the franchise, he must observe that it was impossible it could have the effect of relieving the poverty of the country. The measures for the promotion of arterial drainage and railroads were stopped for want of capital. This capital could not be obtained unless the Government would come forward and guarantee a safe return to the parties who would be disposed to advance their money in such undertakings. He would now refer to the measure immediately before the House. He was of opinion that it should not be placed exclusively upon landed property in Ireland. He was, however, prepared to advocate and support a measure which would throw upon Ireland the burden of a tax necessary to support the poverty of the country. All he asked was, that it should be fairly apportioned, and that those who had already suffered the most should not be exposed to the whole burden. The hon. and gallant Member concluded by proposing the Amendment of which he had given notice.

Amendment proposed—

"To leave out from the words 'next two years' to the end of the Question, in order to add the words 'an auxiliary fund for the relief of the extraordinary distress in Ireland be raised, by a rate not exceeding sixpence in the pound, to be levied upon all property and income in Ireland above the annual value of 150*l*.'"

Mr. W. BROWN said: I will not detain the House long in the few observations I have to make; but I cannot refrain from expressing the pleasure I feel at the suggestions made by the right hon. Baronet the Member for Tamworth, of the importance and advantage that would arise to Ireland from the transfer of property being made more easy, so that incumbered and other estates might find their way into the hands of those who had capital and skill to make the most of them. I entirely agree with the right hon. Baronet that it would be the best possible guarantee that could be given for the prosperity of that country. This is not a new view of this matter. Intelligent men out of doors have spoken and written their sentiments on this subject years ago; nor is it new to Parliament. Evidence was taken on it before the Lords; and it may be found in the library upstairs. It is there shown that the transfer of an estate may be made almost with as much facility as the transfer of a hogshead of sugar, or a bale of cotton. Mr. Banfield's evidence on this subject is most valuable. Indeed, I understand—strange as it may appear—that bankers in Frankfort hold part of their reserves in land; for, at an hour's notice, money may be obtained on it. I cannot help viewing the movement that is taking place in Ulster—in resisting the sixpenny rate in aid—as a most ungrateful return for the exertions that have been made in this country to relieve Irish distress. Millions have been paid from the public purse, aided by large private subscriptions; our humanity has over-ridden our judgment; yet when Ireland is called upon to aid us in this work of necessity and duty, Ulster deems it monstrous injustice. Is it greater injustice to call upon the whole of Ireland to assist their suffering fellow-countrymen, than to call upon the English labourer, artisan, and others, who have already made such honourable exertions to serve them, and who also support their own poor? Independent of this, we are suffering severely throughout the country from the Irish paupers being thrown in upon us in addition to our own. This has added 15,000*l*. a year to the poor-rates of Liverpool; it has raised those in Birmingham to 5*s*. in the pound; in Leeds to 5*s*. 4*d*.; in Bolton to 6*s*.; and in Manchester to 6*s*. 8*d*. Yet all appears to be insufficient to satisfy them. Under such a state of things, it is greatly to be regretted that statements have been made that England is really indebted to Ireland in the large sum of 60,000,000*l*., and that all we do for her is only paying a debt that we owe. But how does the fact stand? In the year 1817 England assumed 130,000,000*l*., the whole of the Irish debt. Now, by keeping a regular mercantile account with her, giving her credit for all she has paid, charging her with all that has gone into the Irish Exchequer, calculating the interest account at three and a half per cent per annum, and taking the last two years, of which we have no returns, at the same amount as the two which precede them, it leaves a debt against the Irish Exchequer of 215,000,000*l*. Add to this the principal, 130,000,000*l*., then you have a sum of 345,000,000*l*. But it is said that a large sum should be deducted from this for articles which have paid the duty in England, and are consumed in Ireland. I admit this; but when we consider that articles which pay a high duty—tobacco, spirits, wines, tea, sugar, &c.—are frequently sent to Ireland, in bond, to save the interest, I cannot estimate the sum that Ireland should have credit for on this account at more than 500,000*l*. per annum; but suppose it is a million, it still leaves considerably more than 200,000,000*l*. in favour of the Imperial Treasury, in place of 60,000,000*l*. at our debit. If my statements are impugned, I would refer hon. Gentlemen to official returns which I called for in 1847, now before this House, as the basis of my calculations, and the accuracy of which I have no reason to question. I deeply deplore that statements should be made that in the slightest degree have a tendency to create a feeling of further dependence or claim on English benevolence. It is time that it should cease. I will, therefore, give my vote in favour of the rate in aid.

Sir E. MACNAGHTEN thought the proposition of the noble Lord at the head of the Government impolitic, unjust, and ruinous to those parts of Ireland which were not steeped in such pauperism as the west. This was nothing more than the case of the five foolish virgins mentioned in the parable, who said to the more provident virgins, "Give us of your oil, for our lamps are gone out." He quoted from an authority which he trusted would ever be quoted with reverence in that House, in spite of the effort that was being made to introduce into it parties that might be disposed to set that authority aside. He should like to know why the providence of Ulster and Leinster should pay for the improvidence and mismanagement of the other parts of Ireland. The potato had failed in Ulster as much as in Connaught. The people suffered in the one place as well as in the other by the distress that was brought about by this Act of Parliament; but the north was not in the same state of destitution as Sligo, Mayo, or Galway. The lands in Ulster were never so subdivided as they were in the west, nor were they so wholly dependent upon potato food, having also corn to rely upon. The proposition of the Government would have the effect of making the innocent pay for the guilty—of making the affluent pay for the support of the impoverished. This appeared to him most unreasonable. There was a measure at present before the House having reference to insolvent Members. Now, he did not see why a rate in aid might not upon the same principle be levied off persons in better circumstances, to be applied to the relief of such insolvent Members. A measure of this kind might save the Ministers a vast deal of trouble, and would no doubt prove most convenient to the needy Members of that House. It was unfair to make this rate general over Ireland. The practice had never been so in England, as the right hon. Baronet the Member for Tamworth had just informed them. On the contrary, by the 43rd of Elizabeth, when one parish failed, the adjoining parish by the law of vicinage was called on to supply the funds necessary for the support of the poor; but in no case did the demand extend beyond the county. He should have no objection to the same law being made applicable to Ireland; but he was decidedly opposed to the present proposition.

MR. SCULLY observed, that though he agreed with many of the propositions which had been advanced by the noble Lord at the head of the Government, in the course of his speech on Friday last, and particularly in his arguments with respect to the maximum rate of 7*s.* in the pound, and though he admired the humanity that characterised his arguments on the subject of the area of taxation—yet, when he came to the actual resolution before the House, he confessed he had a very different opinion as regarded that immediate part of the question. This was not a question of north and south—between the Protestants of the one, and the Catholics of the other—but one by which the interests of the whole country were affected. It had been said that the opposition to this rate in aid was a landlords' movement; but it was no such thing, and he would not stand forward to defend it if it was. It was not a landlords' movement, but a movement of the farmers—a movement of the industrious occupiers of the land, and of the industrious shopkeepers in the towns. He objected to the proposition before the House on three grounds: first, because it was insufficient in its amount; next, because it was injurious in its application; and, thirdly, because it was unjust as regarded the mode of levying it. First, with regard to the insufficiency of the amount; it appeared that—calculating from the contents of a report of the Commissioners on the poor-law in Ireland, published within the last few months—instead of 250,000*l.* being likely to be the amount that would be required for the relief of these distressed unions for a year, no less a sum would be requisite than 587,403*l.*, and that, if they added to that sum the debts of these unions, it would amount to at least 700,000*l.*—those debts having increased from 84,000*l.* in 1847, to 126,000*l.* in 1848. The unions were liable to them, and they must be paid; and why, therefore, should the Government and Parliament not at once grapple with the difficulty, and take measures to get rid of it? It was said, that this tax would only be a temporary tax. Now, he was glad to hear the other night that the right hon. Gentleman the Chancellor of the Exchequer said he would not support it if it was likely to be a permanent tax; but in the *Times* of the following day he had seen it argued that 6*d.* would be the maximum to which Ireland would ever really be liable under the rate, and that the Imperial Treasury undertook all the rest. Instead of this being a temporary tax, he feared it would be a very long time before their unions would be in such a state as not to demand assistance—and not a very long time before that House would be called upon to meet additional votes for those distressed localities. He thought, therefore, that the case of the insufficiency of the amount of the rate was amply made out. Then, with regard to the injurious mode of its application, he must protest against this injurious and demoralising system of doling out relief to a people. They were bolstering and tinkering up a bad law by continuing such a system, and relieving bad and defaulting landlords at a sacrifice of the really honest and industrious portion of the community. Were the Government prepared to demand a return—for such a return they ought to have—from those impoverished districts, of the names of the defaulters? As to the unjust mode of levying the rate again, it appeared from the report of the Commissioners that, in September last, there were only forty-five of the unions in Ireland in which the money which was levied exceeded their debts, and now they were going to levy a fresh tax from those industrious localities—to raise from them a sum which they themselves calculated at 250,000*l.* It was impossible, he contended, that they would ever get money from them. His third objection was that the mode of levying the rate was unjust. The annual income of Ireland was stated to be 36,000,000*l.*, of which 13,000,000*l.* was rated to the poor-rate. The remaining 23,000,000*l.* was totally untaxed for this purpose. As long as he had a vote in that House, he should oppose the adoption of the principle involved in the proposal of the noble Lord. The charge of a 6*d.* rate in the pound had been described as of a trumpery character; but was the House aware that if that rate was levied, it would amount in the county of Tipperary alone to 21,315*l.*? There was not one union in that county which came under the principle of exemption by being rated at more than seven shillings in the pound. The consequence would be, that they would all have to pay the rate. The hon. Member then proceeded to read extracts from local papers, descriptive of the state of distress and destitution in Tipperary, and that so great had it been in some districts, that persons had been starved to death. Before the House proceeded to adopt this principle, it ought carefully to consider the condition of the various unions in Ireland. His own conviction was, that when the rate exceeded three shillings in the pound, that there should be no additional rating, for that extent of rating was quite sufficient, and as much as most of them could pay. Were hon. Gentlemen aware of the amount of capital lost in Ireland last year? He found it stated by a gentleman of eminence, who was formerly a Member of this House, and who had been in the employ of the Government, that the amount of capital lost last year in Ireland, and more especially as regarded agriculture, was upwards of ten millions. This sum, added to the losses arising from the distress of former years, was a sufficient indication that the people of Ireland were utterly unable to bear further taxation. Why should this tax be levied on the land alone, while there were 23,000,000*l.* of property in that country exempted from this burden? For instance, the mortgagees of property, who resided at Dublin or London, did not in any way contribute to the poor-rate. This was most unjust, for that class ought to be made to pay it. He agreed with much that had fallen from the right hon. Member for Tamworth, who had showed how capital might be introduced into Ireland for beneficial employment, and who had suggested the introduction of some measures for the purpose. If the Government had come down with some proposition of that kind, their rate in aid would have had some appearance of fairness. Measures should have been introduced for facilitating the transfer and sale of land, for the registration of deeds, for the formation and extension of railways, and others of a similar character. He did not ask for measures like those of last year, but well-digested and well-considered measures—prepared, not in London, but in Ireland. The hon. Gentleman, in conclusion, read an extract from a letter, written by the late Lord G. Bentinck to Mr. O'Reilly, of Clonmel, in which he strongly urged the development of the sources of wealth in Ireland, by the drainage of the 16,000,000 of acres of land now lying waste, and which were capable of the highest cultivation, and also the extension of railways, and by the improvement of the fisheries on the western coast of that country.

SIR W. VERNER: So much had been said during the debate with respect to the province of Ulster, and as the Bill under the consideration of the House would affect that province more than any other in Ireland, and as the representative of a county in that province, he trusted he would not be thought intrusive if he said a few words upon the subject. Much reference had been made by various hon. Members to the loyalty of the people of Ulster. In regard to loyalty, he was aware that many men differed. The men of Ulster were the strong advocates of the maintenance of the Union between the countries: in that he thought they were truly loyal. The hon. Member for the city of Limerick took a different view of the subject. He belonged to an association calling itself the "Loyal Repeal Association;" yet he supposed the hon. and learned Gentleman maintained that he also was a loyal subject. He left it to the House to say who were the most loyal people—the advocates of the Union, or those who would separate the dominions of the Crown. Never had men been so tried as the brave men of Ulster; but they had always remained stedfast in their loyalty. The hon. Member for Dublin had said, in consequence of the opposition to the rate in Ulster, that the loyalty of the people of that province was only sixpenny loyalty. He totally denied that this was the case. They were opposed to this proposition because they conceived it was founded on injustice. He had been told — not merely once, twice, or three times, but on numerous occasions, by an individual, formerly a Member of that House, the late Mr. O'Connell—that if he (Sir W. Verner) would only join him in aiding to bring about repeal, that such was his influence in Ulster, that he would pledge his existence that twelve months would not elapse without their having a Parliament in College Green. He believed it was because the people of Ulster did not join in the cry for repeal, that the Irish Parliament was not then meeting in College Green. He thought that the imposition of this rate was a very poor return to the men of the north for the loyalty they had exhibited in uniformly resisting the overtures which were so repeatedly made to them to join in the agitation for a repeal of the Union. The men of the north had testified on a thousand different occasions their determination to preserve the Union inviolate; and he would again repeat, that the imposition of this rate was a very poor return for their stedfast and unswerving fidelity. There was but one feeling on the subject in the north of Ireland. He had himself presented petitions against the rate from Armagh and various other important localities in Ulster. The principle of such an imposition was essentially vicious, because the pressure of the tax would fall exclusively on one class — the landed interests, who were already overburdened; while the monied interests, and all other classes of the community, would be entirely exempt from its operation. When pestilence and famine overspread the land in 1816 and 1817, the monied and landed interests combined in an effort to mitigate the sufferings of the people, and their exertions were crowned with complete success. He did not see why there should not be a similar combination of classes in the present emergency. It was manifestly unjust that the onus should fall only on one class in particular, and that of all others the least able to support it. But the rate would be inequitable and unequal even in its pressure on the landed interests. In the parish where he resided there were three electoral divisions, or, to speak more correctly, one and a portion of two others. In two of these divisions the rate did not amount to 1*s.* in the pound, in the third it was upwards of 4*s.* He had property in all of them. One portion of those divisions was the property of the resident landlords, who discouraged the practice of subletting; and the consequence was, that pauperism was unknown: the other half was in the hands of absentees, who permitted subletting *ad infinitum;* and the consequence was, that pauperism abounded there: and now, the portion which was in the possession of the good landlords was about to be called on ostensibly to support the poor of the bad landlords, but, in reality, to give sanction and encouragement to a system which had been for years the bane and curse of Ireland. Thus no distinction was made between that pauperism which enriched the landlord, and that which the landlord was in no way instrumental in provoking, but which, on the contrary, he pauperised himself in his efforts to mitigate. For these reasons he should vote against the proposition of the Government.

MR. CLEMENTS remarked, that however tempting might be the field opened to them by the observations of the right hon. Baronet the Member for Tamworth, still he should endeavour to confine himself to that which was the question of vital importance at that moment before the House, and that was then submitted to them for consideration—namely, the tax that was proposed to be levied by the Government. It was admitted, on all hands, that some money was actually necessary for the relief of the distress that prevailed in twenty-one unions; and that it was shown by the feeling manifested by English Members, that the money so required must come from Irish sources. It was said that there were 11,000,000*l.* or 12,000,000*l.* paid in England, to which Ireland did not contribute; and though this was said, yet no one had contended that Ireland was not taxed in accordance with her means. By the Union this country bound itself by a compact, that Ireland should not be taxed beyond a certain proportion with England. If this were the case, then Ireland could not be justly taxed with not paying her fair share of taxation. If any doubt existed on the subject, he thought a Committee ought to be appointed to investigate this subject, and he trusted that such a Committee would be moved for by some Member whose position and experience would obtain for him the attention of the House. He wished hon. Members to bear in mind, that in Ireland what was objected to was not so much the 6*d.* in the pound, but the principle that was sought to be established in imposing the rate; that it was the Imperial Parliament imposing a peculiar tax upon Ireland for that which was regarded to be a general purpose; and that in imposing such a tax, though Irish Members might take part in the discussion, they could not influence the decision of the Imperial Parliament imposing such a tax; and that such a principle of taxation being once established, the Irish expected to see no end to it; that though it was now proposed to impose a tax of 6*d.* in the pound for two years, still any one acquainted with the circumstances of the country to be relieved by this tax must be aware that the sum required would not be sufficient to mitigate the evil now complained of. Hence it was feared that the principle once established would be extended indefinitely. The House had heard from the hon. and gallant Member for Longford what were the measures which he considered requisite in order to raise Ireland from her present prostrate condition. He agreed with that hon. and gallant Member that no single measure, whatever might be in its nature, would effect this object. There was an observation which fell from the right hon. Baronet the Member for Tamworth last year, respecting the West Indies, which was quite applicable to Ireland at the present moment. One single measure, said the right hon. Baronet, however good, would not suffice for the relief of the West Indian planters. It must be a combination of well-devised measures which alone will effect that purpose. Such was the case with respect to Ireland. The measures for her relief must be suited to her circumstances. They must, moreover, be measures in which the whole empire took an active part and interest. The observation made on a former evening by the hon. Member for Montrose, during the discussion on the grant of 50,000*l.*, was quite to the point. When it was proposed to add Mr. Bright's name to the Committee on the Irish Poor Law, the hon. Member for Montrose said truly, that as the money came from the Imperial Treasury, so it was but fair that the hon. Member for Manchester should be on the Committee, as his constituents were interested in that inquiry as much as the Irish people themselves. A good deal had been said about the duties of Irish landlords in those localities of Ireland where distress was prevalent. He agreed that it was their duty to do all they could to alleviate the distress; but, as the right hon. Baronet opposite had shown, it was not in the power of the landlords to do much. If, however, the same doctrine were applied to the general condition of Ireland, it might be a question whether some steps might not be taken in that direction, and certainly any general improvement there would be attended with a correspondent improvement in the revenue. Now, although English Members would not consent to regard the question of a rate in aid in connexion with the improvement of the revenue of Ireland, they would not refuse to couple that rate with the question of the resources of Ireland. If there were any resources which it was more undesirable to have resort to than another, it was this of a rate in aid. The poor-law was a new measure in Ireland, and it was difficult to meet the demands which it caused to be made on the farmers there. The people of England were not aware of the struggles made by the occupiers of land to pay their poor-rates; and if they knew what they would suffer when called upon to pay this additional rate, the English nation would sympathise with the Irish farmers, and refuse to impose it. Another serious difficulty which presented itself was the machinery by which the rate was to be collected. It was not known whether the rate in aid was to be levied upon a special valuation, or whether it was to be raised according to the existing valuation in Ireland. The inequality that existed between the various parts of Ireland in the valuations to the poor-rates was as great as 50 per cent. That fact was proved by the evidence taken before the Poor Law Committee sitting upstairs only the other day. Any attempt to alter the valuations now would be too late. How, then, was the rate in aid to be levied? If according to the present poor-law valuation, what would be the feelings of those who would have to pay double the amount at which other unions were rated? Those unions also in which the poor-law was strictly carried out, would contribute 50 per cent more than others where it was not enforced. He very much feared that wherever this rate in aid should be rigorously levied, the farmers and occupiers of land possessed of substance would leave the country as fast as they could. English Members felt satisfied with the proposition of the noble Lord at the head of the Government, because they would thereby be spared the necessity for granting more public money to Ireland. But he wished to know when the rate was to be levied, as it was wanted immediately. Was it to be levied at the harvest time? Did the Government propose to advance the amount required to relieve the distress out of the Exchequer, and to take the rate in aid as a security for such advances? He would recommend the noble Lord to wait until the harvest before he began to enforce it. There would then be time allowed for consulting the Irish Members, and taking their opinion as to the most equitable mode of levying the rate. The right hon. Baronet the Member for Tamworth had stated that evening that there was no difference between the rate in aid and a property tax. But he (Mr. Clements) asserted there was all the difference in the world between the two taxes, owing to the mode in which they were levied. The rate in aid must first come out of the farmers' pockets; and no one who knew what the sufferings of that class in Ireland had been during the last three years of famine and potato rot, but was aware of the fact that the imposition of such a load as that last proposed on their backs would create universal despair. Such, at least, he feared would be the effects of this tax. If he understood the Government proposal rightly, it was to draw the amount of the rate in aid directly out of the unions according to their respective valuations. But, if this were done, the virtual effect would be to impose a ninepenny instead of a sixpenny rate upon many of the unions. It was unfair in the highest degree to impose such a burthen on the poor farmers of Ireland. For his own part, he would strongly advocate the substitution of an income tax for a rate in aid. The latter fell directly upon the tenantry, whereas the income tax was paid by the landlords. It might seem strange that the Irish landlords should prefer an income tax at 7*d.* to a rate in aid of 6*d.* in the pound. The right hon. Baronet the Member for Tamworth had said that the Government would get the rate in aid first, and take the income tax afterwards. But in his opinion the former at 6*d.* would be a heavier burthen than an income tax at 7*d.* in the pound. He did, therefore, hope that if this money were to be levied on the resources of Ireland, the noble Lord would take into consideration the most acceptable mode by which such means might be raised.

MR. BOURKE said, the resolution before the House was one of the most difficult upon which an Irishman could address a legislative assembly. The importance of this question might not be obvious at first; but when they looked to the great interests which were bound up with this question, and the deep interest which it had excited in Ireland, and when Irish Members knew that by the speedy adoption of this law Ireland's better hopes were defeated, he might be excused for approaching this subject. The great disaster which had fallen upon Ireland, was first met by grants of public money, which, though they stifled the disease for the moment, tended rather to perpetuate the calamity. An endeavour was then made to remove the evil by the institution of public works; but after that expedient failed, the Government fell back on the poor-law. The previous system of gratuitous relief had, however, destroyed the self-reliance of the people. He did not wish it to be understood, however, when he alluded to this subject, that he refused to acknowledge the eternal gratitude which Ireland owed to England for the assistance she had offered her. There was, however, a feeling in Ireland that the immense funds which were subscribed in England might have been much more wisely expended if greater care and forethought had been exercised. He believed that in some unions the funds which it was intended should be applied to the relief of the poor had been expended in a most useless and unnecessary manner. It was not his intention, however, to discuss the Irish poor-law, which had been met by a large expenditure; it had merely kept the people alive, and had tended to perpetuate the calamity with which that country had been visited. To show how the law had worked in Ireland, he would state some circumstances which had occurred in the county of Kildare, in connexion with which he should introduce the name of no less an authority than that of the Hon. Mr. Lawless. A resolution having been moved at a public meeting—

> "The Hon. Edward Lawless, in seconding the resolution, said, in an adjoining union to this—the union of Celbridge—there came down, about this

time twelve months, a sealed letter from the Poor Law Commissioners, directing the guardians to appoint relieving officers forthwith. The guardians, headed by his Grace the Duke of Leinster, who, they would all agree, was no enemy to the poor, protested strongly against this order, on the ground that it was unnecessary, and would only result in a waste of the public funds. The Commissioners continued inexorable, and the guardians were obliged to give way. Relieving officers were accordingly appointed, whose salaries up to Christmas last amounted to 80 guineas—but what did the meeting think was the entire amount of money which those officers had to disburse ?

"Mr. Dixon : 500*l.* perhaps.

"The Hon. Mr. Lawless: The entire sum amounted to 1*l.* 15*s.* 6*d.*, and that sum had been expended in car hire, for bringing poor people who were found on the road to the county infirmary, which duty had hitherto been admirably performed by the local poor-law guardians, who were able to perform all those duties in connexion with the workhouse free of expense. He would next allude to an instance of mismanagement on the part of the Board of Works. In 1847—that year of misery and distress—when that unfortunate and disastrous measure, the labour-rate sessions, was instituted, there was a meeting called of the inhabitants of the barony of Newcastle in this county. That barony consisted of four electoral divisions, and he (Mr. Lawless) being the only magistrate residing in the electoral division of Newcastle, he took upon himself to call a meeting of the cess-payers of that division. They assembled together, and, after a good deal of discussion, he induced them to employ every man then out of employment, and he succeeded in doing so by showing that it would be better for them in the end. They carried out the plan to the fullest extent, and there was not a penny of public money expended in the electoral division of Newcastle during the year 1847, nor was there an inhabitant of that district employed on any of the public works. When the presentment sessions was held he stated the fact that the division with which he was connected wanted no assistance, and that it would be better to proceed under Mr. Labouchere's letter, which made it an electoral division charge. However, from some blunder or mismanagement, the ratepayers of Newcastle electoral division were now charged with a sum of 422*l.* although they never received a penny of the public money. He had given instances of the manner in which the Poor Law Commissioners and the Board of Works acted separately. Perhaps the meeting would like to hear how they acted when they worked together, and formed a mixed commission according to Sir John Burgoyne's plan ? Without consulting any one connected with the union of Celbridge, they sent down the same description of staff as they would have done to Skibbereen—their commissioners, inspectors, relieving officers, &c.—the guardians protesting all the time that such a course of procedure was wholly unnecessary. At that time funds had been granted by Parliament in aid of rates. There was but one electoral division in the union which had not funds to its credit, and it borrowed a sum of 61*l.* 10*s.* That money was repaid back exactly six months from the day on which it had been borrowed. What did they think was the cost (as it appeared from the report of the Commissioners themselves), of looking after this sum of 61*l.* 10*s.* ?

"A Voice : About 100*l.*

"The Hon. Mr. Lawless said, he had examined the books about six weeks ago, and he was not prepared to state the exact figure, but it was 30*l.* over or under 1,100*l.* [*Loud cries of* "Oh, oh !" *and expressions of disapprobation.*] He could assure the meeting that the statement he had made, however extraordinary it might appear, was strictly true ; the entire amount advanced in aid of rates was 62*l.* ; it passed through his hands ; it was repaid six months after it was received ; and yet the cost of the arrangements connected with the borrowing of that small sum amounted to 1,100*l.* Was not such a system monstrous ?"

Having done away with gratuitous relief, the effect of the law had been to make the Irish people a nation of paupers; and having done this, the Parliament told them to go to the workhouses. He was not, however, unmindful of the generous spirit which had induced Englishmen to come forward both in their private capacity and as contributors to the British Association Fund, and to consent to enormous grants; but whilst Irishmen acknowledged the manner in which England had behaved, they could not but think that those sums which had been sent over to Ireland had put them in a worse position than they were before, whilst it had fostered the vice of the want of independence. He was opposed to this rate in aid, and he was opposed to the way in which it was proposed to levy it, which involved a direct breach of faith with Ireland, and was to a great degree highly impolitic. He maintained it was an infringement of the spirit of the Union, which assumed that the stronger should support the weaker. His constituents were able and willing to contribute as far as they could; but if they were weighed down by taxation they would be for ever rendered incapable of bearing their proper burden. But he would say, give to Ireland English industry, English prosperity, and English wealth, and the people of Ireland would be content to pay, not 7*d.* in the pound, but 1*s.* in the pound, income tax. This measure only showed the determination of the Government to bolster up a system which had failed. There was a time when a smaller coin than 6*d.* set Ireland in a flame; and though the author of the *Drapier's Letters* was not now among them, there still existed in Ireland a spirit of patriotism, love of justice, good sense, and determination, which would make them cry out against the invidious impost now attempted to be imposed upon them. He contended that they could never hope to promote the welfare of Ireland unless they brought forward other and better measures than had yet been promulgated —unless they made important alterations in the poor-law, assimilated the area of taxation to the area of taxation in this country, encouraged emigration, and otherwise looked to the real interests of the people. He imputed no unworthy motives to Her Majesty's Ministers; he believed they were really anxious to confer true benefits upon Ireland; but he believed the only hope for Ireland was, that they would see their error before it was too late. He entreated them not to imagine that by any assistance they could render, they could ever maintain the present system of poor-laws in Ireland. Until they uprooted that system, which fostered mendicancy, which destroyed self-reliance, and which paralysed industry, they need never expect Ireland to improve. He begged it to be understood that he was not one of those who thought that legislation would do everything for Ireland. On the contrary, he believed that it would do comparatively little. He believed that legislation would foster, but not produce; that it would water, but not sow; and that it was to individual exertion, to the clear heads, the strong arms, and the hardy hearts of the people themselves, that they must look for the sources of real benefit to Ireland. But he opposed the resolution before the House, because he considered it was calculated to injure rather than benefit his country.

MR. ROCHE said, that neither of the hon. Gentlemen who had last spoken had given a practical answer to this practical question, how were thousands of people to be saved from utter and immediate starvation? Her Majesty's Government proposed that they should be saved from immediate starvation by means of this rate in aid; and the House was asked to come to this decision, would they have this rate in aid, ay or no? ["No, no!"] But as an Irish Member, what question had he to ask himself? Suppose he voted with hon. Members opposite, and by increasing their numbers succeeded in saying "No," what position was he in then? What practical measures did he get from hon. Gentlemen opposite for administering relief to the people? What would the hon. Member for Buckinghamshire do to feed the people of Connaught? He was a prudent man, and would say nothing, but button up his pocket. He turned then to the hon. Gentleman the Member for Northamptonshire; he, too, would button his pocket, but he would say, "Read my speeches and assimilate your taxes." He (Mr. Roche) feared that, in order to avoid 6*d.* in the pound, they would have a tax of 1*s.* 6*d.* Was there an English Member who would give out of English funds 6*d.* for Ireland? Not one. Foiled by the English Members, he would turn to his fellow-countrymen who sat on the opposite side, and say, "Our people are still starving in hundreds, we can get nothing from England, what will you do to support them in Ireland? Will you abolish the grand-jury system?" Not they; every man was a grand juryman, and belonged to the parts for which grand juries had been instituted. He asserted that there was a Church in that country which was paid fourteen times too much—450,000*l.* a year was paid to the Church which need not be paid. Would they join with him in appropriating the funds of the Church to the support of the poor? When he asked that question, he should be met by a cry of "No surrender!" and the Kentish fire. Neither from his own countrymen, nor from English Members, could he receive any answer to this practical question—namely, if you refuse this rate in aid, how will you stop starvation in Connaught? Then came the question of the rate in aid. The best thing about it was, that it was only temporary. Hon. Gentlemen had said that an income tax would be better; his answer was, the rate in aid is only temporary, the income tax will be a permanent tax. The hon. Member for Cork said, you put all the tax on the landlords, and no tax on the commercial classes and the capitalists in Ireland. He did not think that the tax ought to be put on the commercial class: there was no interest so essential to Ireland as the commercial interest. No one had ever said that commercial men had not done all that was necessary to advance the interests of the country. What would Ireland be if it were not for her commerce? Was he to tax the commercial interest and not tax the landlords? He refused to tax the only interest that had done its duty in Ireland. He came now to the speech of the right hon. Baronet the Member for Tamworth; he dissented from his historical conclusions. He did not agree with him that the plantation of Ulster was a great benefit or boon conferred by England upon Ireland; he thought it was a great blot and stain on the English character that they should have made that plantation as they had made it. The right hon. Baronet gave a quotation of an Irish ballad of 1798; but when he boasted about the plantation of Ulster and the benefit it conferred on Ireland, it was well to quote a stanza of an Irish ballad issued by those who were planted in Ulster two centuries after the plantation. ["Hear, hear!"] Every man was liable to a slip of the tongue, and perhaps it might be somewhat the propensity of his countrymen; but even in that he did not mean to deny his country. Here was a song. [An Hon. MEMBER: A song of sixpence; sing it.] He begged leave to say that he could not sing without music, and there was no music in the hon. Member's interruption. This was *The Battle of the Diamond.* [The hon. Member read the following verses amidst much laughter.]

"The Battle of the Diamond
(Far let the watchword fly),
Where craven Papist rebels crouched,
Upon the earth to die.
Slain by devoted men and true,
Who fought with heart and blade,
And slaughtered in their ambush vile,
By swords they had betrayed."

He did not think that much good had resulted from that same plantation of Ulster. But the right hon. Baronet proposed, not only to plant Connaught, but that Government should purchase a great portion of Connaught, and work it too. The right hon. Baronet said he would appoint a commission. How many commissions had we had upon Irish subjects? The hon. and learned Member for the University of Dublin had told them how futile all these commissions were. Perhaps, for exception's sake, this commission would be effective. What was it to do? The commission was to intervene between the present proprietors and somebody that was to buy these properties. He did not see that the right hon. Baronet would do good in that way; but if he purchased the estates in Connaught, and sold them, and got a small independent yeomanry, he would be doing some good for Ireland. He would not do good if he bought out the present proprietors, who had neglected their duties, and put in their place another set of men, without security against their committing precisely the same faults. The right hon. Baronet went on to say, that he did not see any reason why Government should not purchase the Connemara property. He thought, that if they did attempt to work it as practical men or farmers, they would not find it a profitable concern. He did not think that King William's Town was a good or profitable speculation. The right hon. Baronet had talked very ably about the great crisis in which Ireland was at the present moment; but how could the purchase of some estates in Connaught benefit all Ireland, which was now suffering from that crisis? The proposition of the right hon. Baronet was certainly a very bold one; but would he go a step further? Would he grapple with the question of tenure in Ireland? Would he unfetter the springs of industry, by giving encouragement to the yeomanry of Ireland to cultivate land which, in consequence of the present unsatisfactory state of the law, was allowed to lie idle? The right hon. Baronet might depend upon it that it would be found utterly impossible to effect a great and national regeneration unless some bold and practical measure were adopted for the improvement of the law of tenure. If the right hon. Baronet should apply his great talents to that question, he might confer great benefits upon the country at large, and add considerably to his honour and reputation. In conclusion, he (Mr. Roche) wished to know from those hon. Gentlemen on the Opposition benches, who so energetically opposed this proposition of the Government, what plan they had to propound for saving the lives of those unfortunate people, who were admitted to be dying by hundreds in Connaught and other parts of Ireland? Surely those hon. Gentlemen were not content to let them die off the face of the earth without the slightest attempt on their part to afford them succour? In the absence of any information or proposal from the other side, ho should support the Motion of the noble Lord the Prime Minister, because it was a temporary proposal for meeting a temporary want: he supported it, because he thought it was due to the English people, who had made so many and so great sacrifices for the support and relief of distress in Ireland, that they should make some struggle to support the poverty of Ireland out of the property of Ireland; and he supported it also because, from the tenor and language of the noble Lord's speech, he thought he would carry out this law, if passed, with forbearance; that he would not force it immediately on the people, but would wait before he levied a 6*d.* until the harvest in Ireland was collected.

SIR A. BROOKE thought that this proposition of the Government was impolitic and mischievous. Why should the burden of supporting the poverty of Connaught and other distressed portions of Ireland fall upon people who were not in any way responsible for the existence of that poverty? The present destitution in Ireland arose, in the first place, from the misrule, not altogether of the present Government, for Ireland had been misgoverned for centuries; in the next place, he attributed a great deal of that poverty to the misconduct of the Irish landed proprietors; and, thirdly, he attributed much of the misery of Ireland to absenteeism. With regard to the misgovernment of Ireland, it was obvious, that if Ireland had had a paternal Government, the miseries which had been accumulating upon her for years would have been averted by the precautionary measures of that Government, which must have seen their gradual approach. And, then, as to the misconduct of the Irish landlords, notwithstanding the splendid efforts of some of them on behalf of those by whom they were surrounded in Ireland, he could truly assert that two-thirds of them at least had neglected their duties to their tenants; they did not even reside in Ireland. And now, those excellent landlords who had made such generous struggles to save the perishing poor on their estates, were to be called upon to pay for the neglect of those landlords. Why did not the Government bring forward a proposition to impose an additional tax upon absentees for the support of the poor of Ireland? Absentees ought to be made to pay at least double poor-rates. He had some small estates in Ireland, on which he could not reside; but he was perfectly willing to pay double rates in respect of them, if it should be found that he did not give employment to a sufficient number of labourers. The absentee was bound to provide for the poor on his estate. There were 2,000,000 acres of reclaimable land in Ireland on which not a single atom of labour had ever been expended. Why did not the Government take possession of them for the purpose of affording employment to the people? He could assure the Government that their present proposition had disheartened the landed proprietors of Ulster, who, what with poor-rates, voluntary contributions, and employment of the people, had lately paid 15*s.* in the pound for the support of the poor. Lord Farnham had paid upwards of 4,000*l.* in poor-rates during the last twelve months, in addition to which he had voluntarily given employment to immense numbers of the distressed people of his district. He (Sir A. Brooke) thought, that with the view of encouraging agriculture in Ireland, all improvements of the land should be exempted from poor-rates for a certain number of years. A measure of that nature ought to be immediately passed, because the absence of land improvement was one of the principal evils of Ireland. Should the measure become law, he, at all events, begged the noble Lord to pay some attention to the question of valuation, for nothing could be more unfair than the present rating under the poor-law valuation. His own property was rated over the value he set on it to the extent of 1,100*l.*

Sir G. GREY said, that several important admissions had been made in the course of the discussion, which he was happy to say, tended to narrow the limits of the question at issue. The first of these admissions, in which there was a general unanimity, was that there existed in some of the western unions of Ireland an amount of distress which rendered it absolutely impossible that it could be wholly relieved by local resources, and rendered it indispensably necessary that some extraneous aid should be afforded in order to avert scenes of starvation and misery on which the House was not prepared to look without providing some remedy. It would be unnecessary for him to read the papers which detailed the condition of those unions, because he had not heard it controverted by any one. He had been sorry indeed to hear the hon. Member for Tipperary state he conceived the object of the present measure was not to relieve the pauper but the landlord. He could assure the hon. Member such was not the case, and that the measure was intended, not for the relief of the landlord but for those who had been reduced to the lowest state of destitution. Whilst he was speaking of landlords, he could not but observe that the hon. Member who had just sat down (Sir A. Brooke), and whose opinions were entitled to the greatest weight in the House from the admirable manner in which he discharged his duty, had made some observations with respect to the conduct of a portion of the landlords in certain parts of Ireland, in which he (Sir G. Grey) entirely concurred. The hon. Member said that the destitution proceeded partly from centuries of bad government, and partly from the conduct of the landlords themselves, speaking, as he (Sir G. Grey) supposed, not exclusively of the present, but also of the former possessors of the soil. He had not understood the hon. Baronet to say that every exertion should not be made to aid that distress and destitution; so far from doing so, he had made a proposition the purpose of which was, that a tax was to be laid on certain classes of the people, the funds to be collected from which would be applicable for their relief. With respect to the conduct of the landlords, he must say that, while he agreed in much which had been said as to the manner in which the great body of the landlords in particular districts had, to the utmost of their ability, paid their rates and endeavoured to relieve the distress, yet, if they went into the causes of that distress, the owners of property would not be found free from blame—he did not mean the existing landlords, who had inherited their property, in many instances, so encumbered with mortgages and charges, and so subdivided as to render it impossible for them to do all that might be expected from them, whatever might be their intentions, but those who had gone before them. The hon. Member for Fermanagh spoke of the system which had been so long pursued of letting out the land in small patches for the purpose of growing potatoes, which, being a food capable of maintaining a very large number of persons, enabled the occupier to pay an enormously high rent. That system, in the end, produced a pauper tenantry living on the land, who, when they paid their rents, were left without a shilling in their pockets, and who were without capital and without skill to improve the soil. The result was, that as these estates descended to the present owners, settlements were made on a rental which was merely nominal, and which it was impossible to maintain when the potato crop failed. The very extract which had been read containing the statement of Captain Hamilton with respect to the Ballina union, proved that the distress was not attributable to the poor-law, but that the primary cause of that distress was the failure of the potato crop, which had revealed the rotten state of society, and had brought matters to a crisis. If thousands, however, were found to be on the verge of starvation, the real question was, how were they to be provided for? Another admission had been made, not so universally, indeed, but still it had been generally and, at the same time, fairly and candidly made, and that by men whose opinions were entitled to the greatest weight, who were most conversant with the country, and who had discharged their duties as owners of property in a manner which entitled them to every credit, that the time had come when a stop must be put to the continued demands on the Imperial Parliament for grants in aid of distress. [*Cheers.*] The question, therefore, appeared to him to be whether, if aid were indispensably necessary, it was to come not from the Imperial Treasury, but from a source within Ireland itself; and if so, whether the proposal made by Her Majesty's Government to impose a rate limited to 6*d.* in the pound—limited not only in amount but in duration to a period of two years—was not the least objectionable mode in which the means required to aid in the relief of the poor in Ireland could be raised? In dealing with that question there were many objections to be considered which had been taken to that proposal. He would glance at that taken by the hon. Member for Middlesex, that the proposal had been brought forward suddenly, without any intimation that any such plan was in contemplation. If the hon. Gentleman was as well acquainted with the proceedings in that House, as he seemed to be with the proceedings of the Committee on the Irish Poor Law, he would have known that his noble Friend had stated at an early period that as soon as the Committee should meet, he would lay before it the propositions he was prepared to make. He did lay them before the Committee, and, in so doing, redeemed his pledge. He stated his views generally in that Committee, and those views were embodied in resolutions which the Committee had the opportunity of considering. One of the objections with which it would be necessary to deal had been made in the House; and there were others made out of the House to which he should also refer. There was a considerable variety and inconsistency in those objections, which rendered it difficult to deal with them in detail. The hon. Member for Northamptonshire had led the van of the opposition to this measure in the House; but he had hardly redeemed his promise to point out its injustice, impracticability, and impolicy, for although he had occupied a considerable portion of time in proving its injustice, he had said nothing on the other two subjects. He seemed to have lost himself upon the question of the area of taxation. The hon. Gentleman had commenced by saying, that

Parliamentary grants were altogether objectionable, and in this he was consistent, for he had voted against the grant of 50,000*l.* upon the ground of extraneous aid being destructive of that self-reliance, the existence of which he held to be essential to the renovation of Ireland. Now, as to self-reliance, no one could feel more deeply than he (Sir G. Grey) did, that it was of the utmost importance that that spirit should be most carefully and sedulously fostered and developed, and Government had been anxious to make every possible effort to induce the inhabitants of the distressed districts to exert themselves for their own support, before it had felt itself justified in applying towards their relief the money placed at its disposal by Parliament. But when the hon. Gentleman talked of self-reliance in the present emergency, when starvation was imminent, he forgot that self-reliance must necessarily be of slow growth in Ireland; and however valuable the principle might be, this was not the moment for trusting exclusively to its influence. But the hon. Gentleman stated that he was prepared to advocate a scheme of equal taxation with respect to Ireland. Now the hon. Gentleman stated the amount of taxes paid exclusively by this country, and none of which fell upon Ireland, as about 11,000,000*l.*; and he proposed as a remedy for the present state of things that the taxation in both countries should be equalised, in order, he presumed, to entitle Ireland, when so taxed, to Parliamentary grants for the relief of Irish distress. But how was this scheme consistent with the hon. Gentleman's favourite principle of self-reliance? If Ireland were to be equally taxed, for the purpose of the produce being first paid into the Treasury, and then granted back again to the distressed unions, the principle of self-reliance was gone at once. Such a system of taxation, too, would fall upon Ulster, Leinster, and Munster just as exclusively as the rate in aid now proposed. But, besides, the proposal of the hon. Gentleman appeared to him to answer itself; for while the hon. Gentleman enlarged upon the great evils produced by the constant expectation of indefinite assistance from the Treasury, his plan would cause the continuance of that expectation which it was one of the great objects of the present Bill to put an end to. The noble Viscount the Member for Bandon, indeed, appeared to object to this scheme, and to advocate the continuance of relief from imperial funds; but as that was not generally insisted on, he need not farther advert to it. He now came to the speech of the hon. Member for the county of Limerick, whom he never listened to without instruction and profit, as his opinions were expressed with evident sincerity, and were always of a practical nature. That hon. Member contended that the funds ought indeed to be drawn from Ireland, but he would prefer that they should be raised by means of an income tax, levied on all descriptions of property. That proposition was also embodied in the Amendment moved that night by the hon. Member for Longford — an Amendment which proposed the imposition of an income tax. The hon. Member for Limerick, however, had coupled his proposition with the condition that the produce of his income tax should be applied exclusively to Irish purposes. Now what, after all, was the difference in principle between the proposition of the hon. Gentleman and that now before the House? It was said that the rate in aid involved a new principle; but an income tax for local purposes was distinctly a rate in aid, the only difference being that it applied to all descriptions of property. The question, then, to consider was, whether that tax would be more acceptable to the Irish people generally than a rate in aid. He was not prepared, on the part of the Government, to argue against the income tax being imposed on Ireland; and if the Irish Members were anxious to have an income tax in Ireland rather than a rate in aid, there would be a strong reason why their preference should be consulted. ["No, no!"] He confessed that he was not surprised, although he was somewhat disappointed, at those signs of dissent; but really, looking to the language which had been held upon the subject, both in and out of the House, he did believe that if the Government had proposed an income tax, the opposition to it would have been much stronger than it was to the present measure. With regard to emigration, as one of the objects to which the produce of such a tax ought to be applied, he supposed that the hon. Gentleman who had recommended it alluded to emigration from the western unions, as a means of relief to those unions. If the hon. Gentleman alluded to general emigration, he must see that such a system could be of little or no benefit to the western unions. Emigration certainly might be one mode of relief, and as such it was not excluded by the resolution before the House, while, whether it could be so managed as to afford that immediate relief which was necessary, was a question which could advantageously be discussed on a future stage of the Bill. But, as regarded the objection to the present measure as involving a new principle, he must say that an income tax applied to local purposes only was in principle a measure of a much more novel nature. To what did Ulster object? Was their objection to the 6*d.* in the pound, collected as a rate in aid, or to any taxation imposed on Ireland for the purposes of Irish distress? The principle to which the people of Ulster seemed to object, was the only principle on which it was admitted that the House could proceed —namely, to draw upon Ireland, and not upon the Imperial Treasury, for the relief of Irish distress. A meeting had been held in the county of Tyrone, where the strongest disapprobation had been expressed of the conduct of a noble Lord the Member for that county (Lord C. Hamilton), because he had said that the people of Ireland should bear their fair share of the national taxation. They denounced the proposal of an income tax as monstrous and unjust. He (Sir G. Grey) would not dwell on what was reported to have been said at that meeting, as expressions might have been used hastily; but the resolutions they passed deliberately expressed the same sentiments. They said—

> "That a tax imposed upon a small part of Ireland to meet an imperial calamity is unjust and vexatious, and ought to be resisted by every constitutional means."

Now that meeting seemed to labour under some delusion with respect to the principle on which this tax was to be levied. Ulster was not alone to be taxed for the relief of Connaught. The tax would be a general one over the whole of Ireland. It would have been unjust to have selected Ulster as the only area of taxation for this purpose, and that had not been done. The petitioners at that meeting went on to say that they—

> "Have heard with astonishment that it was proposed to tax the industry of Ulster for the support of the pauper population of Connaught and Munster, while the English farmer, whose harvests would rot upon the field, and the English capitalist, whose machinery would rust in idleness, if deprived of the supply of labourers afforded by these provinces, are to be free from all contribution towards their support when visited by destitution."

Now, in reading these resolutions it would seem that an opinion prevailed that this was the first occasion on which relief for Irish distress had been asked; the grants and loans in aid of Irish distress had seemed to be forgotten. Whatever might be the poor-rates of Ulster, hon. Gentlemen would admit that Ulster paid no income tax or assessed taxes, because Ulster formed part of Ireland and not of England; and on the same ground she was called upon to pay her share of this rate. He considered, therefore, the opposition to this rate in aid on the part of Ulster unreasonable. In the last paragraph of the resolutions to which he had referred, it was stated that the English farmer was exempt from all contributions towards the support of the Irish people when visited by destitution. To confute that assertion, he might refer to the increase of the burdens on this country, consequent upon the recent relief of Irish distress. A return was moved for last Session by the noble Lord the Member for Marylebone, of the number of Irish poor that had, between the 31st of December, 1846, and the 31st of December, 1847, received relief out of the poor-rates of the city of London, of Marylebone, Westminster, Lambeth, Southwark, the Tower Hamlets, Finsbury, Liverpool, and Glasgow respectively. This return was necessarily imperfect, because in some of the largest parishes included in the London union no separate accounts were kept of the Irish paupers. It excluded the parish of St. Luke's and two parishes in Glasgow; but even by the limited return thus made, it appeared that no less than 159,000 Irish had been relieved at a cost of between 75,000*l.* and 76,000*l.* Such a return, however, exhibited only a small portion of the pressure upon the ratepayers of this country for the relief of Irish distress. By a return he had received from Liverpool, it appeared that during the last fourteen weeks no less than 51,000 deck passengers were landed at that port from Ireland—the majority, he was happy to say, being emigrants, of which the people of Liverpool could not complain; but deducting these and others termed jobbers, the number of absolute paupers thrown upon the rates was 15,000, or more than 1,000 a week. Large amounts of money for Irish paupers were also paid by Manchester and other large towns; and in the general report of the Poor Law Commissioners for 1848, they stated that the poor-rates had exceeded the amount of the preceding year by 800,000*l.*; and that great part of that was on account of Irish pauperism. It could not, therefore, be said that English farmers and others did not bear a fair share of the burden of poor-rates even for Irish poor. He trusted that Ulster would not forget this fact, or forget that England bore her full share of the burdens of Ireland. He also held in his hand another series of resolutions passed on Friday last at a meeting in Belfast, in which the strongest feeling was expressed against any system of poor-laws, except for the sick and aged. The resolutions at that meeting were to the effect, that the imposition of a rate over which the ratepayers had no control, was a violation of the rights of the subject, was dangerous to public liberty, and should be opposed. [Viscount CASTLEREAGH: Read the last paragraph, referring to the influx of Irish paupers into Belfast.] He had read the only extracts in his possession. The Belfast meeting objected to the imposition of any tax for the relief of Irish distress. With respect to the principle of this rate in aid, it had been truly said, that this principle was not a new one. The principle was recognised by the law of England. It was not confined even to neighbouring parishes, but extended to the whole county. If a part of Yorkshire were in distress, any other parish in the county might be legally required to contribute towards the relief of that part. The amount of relief would be limited only by the necessities of the prevailing poverty. The whole county might have to come to the aid of one of its sick members. To show that the principle was not new, of providing for local distress not from imperial resources but from the property in the vicinity, he might refer to a return not long since moved for, of relief afforded to the people of Scotland in the year 1783. The distress which prevailed in that year was the subject of investigation before a Committee of the House of Commons; and it appeared that it extended over sixteen counties. The Committee, in determining the mode of relief which should be administered, resolved, and Parliament enacted, that the committee of supply of these counties should raise the funds requisite for the relief of the distress by a tax on the land. This was done. On that occasion, he believed, not one shilling had been taken from the public exchequer. He could not understand why inequality of valuation was adduced as a reason against the imposition of this rate in aid. If it were conclusive against the rate in aid, it must of necessity be equally conclusive against any rate whatsoever. It would be conclusive against the county rate, as great inequalities existed in the valuation of different parts of counties. He could show the hon. Gentleman the Member for the county of Limerick, that in England, Scotland, and Ireland, there were numerous proofs that the condition of equal valuation had not been required as a condition of taxation. The valuation was, generally, very unequal. And were they to wait until the slow progress of equalising the valuation should have been gone through, and abstain in the meanwhile from all local taxation? For they must do so, if the hon. Gentleman's argument held good. Upon that subject, he could not but admit the inequality of the valuation, and the importance, as far as possible, of remedying it. He begged to state one striking instance of inequality in England; it was the case of the district of the metropolitan police. That district included portions of five counties—Middlesex, Surrey, Hertford, Essex, and Kent. The Government were engaged in attempting to remedy the great inequalities that existed in that instance. But so great were they at present, that the hon. Gentleman, to be consistent to his doctrine, should follow it up by stating, that no metropolitan police rate should be levied until the valuations were placed upou an equal footing. In Essex, the property-tax valuation had been taken as a standard of the county valuation. The difference between the valuation in Middlesex and Essex was not very great, it being only about 5½ per cent. In Surrey and Hertford the difference was 14 and 14½ per cent; whilst in Kent the difference was no less than between 44 and 45 per cent. He was now endeavouring to remedy this inequality; but some thought of postponing the collection of the rate till this was effected. He had now stated the general grounds upon which he thought it was desirable to adhere to the plan proposed; and the reasons for which he thought that the proposed mode of raising the money was, at all events, not more objectionable than any other that could be suggested. He assumed that it was not more objectionable, because he found every other plan that had been suggested met with more opposition and less support. His right hon. Friend the Chancellor of the Exchequer had stated, the other night, the objection to the income tax as a mode of affording immediate relief, on account of the necessity of preparing the necessary machinery, whilst there would not be one shilling of expense incurred in the collection of this rate. But he (Sir G. Grey) was anxious to state that he most entirely concurred with those hon. Gentlemen who said that whilst the present was a temporary measure — one that might be looked upon merely as a temporary expedient—intended to meet a temporary emergency; yet the Government would not be justified in proposing it if they were not prepared to propose also other modifications of the poor-law. The Government would, at a later period, propose those modifications of the poor-law which they believed to be necessary, and which, he hoped, would tend to remedy some of the evils in the existing state of things. He would not go into the question of the areas of taxation then. Probably there would not be found, upon discussion, any very great difference between some hon. Gentlemen opposite and himself upon the subject ; but no measure could be brought forward upon it until the preliminary inquiry, which was absolutely indispensable, had been completed. One word with regard to the suggestion made by the right hon. Baronet the Member for Tamworth. No hon. Gentleman, however he might differ with the right hon. Baronet upon other matters, could differ with him in the opinion that they were bound to look beyond the present moment — that they were bound not only to relieve the present destitution in the western unions, but to look forward to the means by which that part of Ireland might be placed in a position to maintain itself. Now, he (Sir G. Grey) had stated what he believed to be the cause of the distress in those unions ; and although he was not sanguine as to the possibility of Parliament or of Government applying a complete remedy, yet he concurred with the right hon. Baronet in the opinion that the remedy was to be sought in the transfer of the great bulk of the property from the hands in which it was at present to other proprietors. He would not say from the hands of bankrupt landlords, because he would not use a word that might give offence; but from the hands of those who, received it oppressed with burdens, and overwhelmed with mortgages, and who were therefore unable to discharge the duties attached to its possession, to the hands of men possessed of capital, and able to provide employment for the people, and to secure the cultivation of the soil. But as to the means to be employed in facilitating those transfers, it was only by slow degrees, and after much experience, that gentlemen accustomed to the forms of law and equity could be brought to dispense with forms long cherished and long considered to be essential. The right hon. Baronet said, he would transfer those estates with the strictest regard to the rights of property. But it was, no doubt, in order to ensure a strict regard to the rights of property, that the rules referred to by the right hon. Gentleman had been prescribed by the Court of Chancery with respect to the Act for the sale of encumbered estates, and which the Court was not very likely to dispense with for the purpose of facilitating the transfer of lands. He thought, however, that they should so modify some portions of the poor-law, as to induce purchasers to enter the market and compete when estates were put up for sale. Whether a Commission recommended by the right hon. Baronet might tend to accelerate the transfer of property or not, was a matter for consideration; but if the Gentlemen composing it were to act with strict regard to the right of property, and to have power to decide all the questions that might be raised about the titles to property, it would be necessary that they should be lawyers; and if so, the parties, he feared, would find themselves in much the same state as if the Court of Chancery were still to be appealed to. At the same time, he should be sorry to express a hostile opinion to a proposal of that kind, without its being presented in more detail. He believed that the Connemara estate, to which allusion had been made, was, in fact, the property of one of the great insurance companies in London, by whom it was to be sold either together or in lots. The right hon. Baronet had spoken of selling it in small lots of one or two thousand acres. Probably he was not rightly informed of the nature of the property, a great portion of it being of that description that it could not be so divided. But the breaking up into suitable lots of that and other estates, and the transfer of them into other hands, must be a slow and gradual process. [An Hon. MEMBER: Time!] An hon. Gentleman reminded him that he had exceeded the time within which it was thought advisable that the speeches of hon. Members should be kept; he should, therefore, conclude by saying, that the Government would be glad to listen to any proposition which would tend to insure the object they had in view, of providing for the relief of the existing destitution, and the promotion of the future prosperity, of Ireland.

Viscount CASTLEREAGH moved that the Chairman should report progress, and ask leave to sit again.

Lord J. RUSSELL hoped that, after three nights' debate, they could have come to a decision that night upon the question. He thought they might have come to a resolution in Committee after such a length of debate, and, therefore, he should take the sense of the House on the question.

Viscount CASTLEREAGH said, that he wished to address a few words to the House before the debate closed.

Sir J. WALSH asked whether money to be paid by the Chancellor of the Exchequer was not involved in the question then before the House?

Lord J. RUSSELL said, the hon. Baronet was mistaken. If any money were to be voted by Parliament founded upon the resolution then before the Committee, the Chancellor of the Exchequer should make a distinct proposition on the subject.

Mr. J. O'CONNELL said, he was anxious to address the House on the present occasion; but after the small degree of attention which they had bestowed on the right hon. Baronet the Secretary of State for the Home Department, he could not hope for a very patient hearing at that hour.

Viscount CASTLEREAGH would take the sense of the House on the question of the adjournment. He did not think there was an Irishman on that side of the House who would not speak on the question, as it was one that affected the whole property of Ireland. He moved that the Chairman report progress.

Whereupon Motion made, and Question put, "That the Chairman do now report progress, and ask leave to sit again." The Committee divided:—Ayes 104; Noes 251: Majority 147.

List of the Ayes.

Adair, H. E.
Alexander, N.
Archdall, Capt. M.
Arkwright, G.
Bagge, W.
Bankes, G.
Barron, Sir H. W.
Bennet, P.
Beresford, W.
Bernard, Visct.
Blackall, S. W.
Blake, M. J.
Boldero, H. G.
Bourke, R. S.
Bremridge, R.
Brooke, Lord
Brooke, Sir A. B.
Browne, R. D.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, W. M.
Callaghan, D.
Chichester, Lord J. L.
Clements, hon. C. S.
Cobbold, J. C.
Cole, hon. H. A.
Coles, H. B.
Conolly, T.
Corry, rt. hon. H. L.
Cotton, hon. W. H. S.
Dick, Q.
Dod, J. W.
Dodd, G.
Dunne, F. P.
Edwards, H.
Fagan, W.
Ferguson, Sir R. A.
FitzPatrick, rt. hon. J.
Forbes, W.
Forester, hon. G. C. W.
Fortescue, C.
Fox, R. M.
Godson, R.
Gore, W. R. O.
Grace, O. D. J.
Greene, J.
Halford, Sir H.
Hamilton, J. H.
Hayes, Sir E.
Herbert, H. A.
Hill, Lord E.
Hood, Sir A.
Hornby, J.
Jocelyn, Visct.
Jones, Capt.
Keating, R.
Ker, R.
Lopes, Sir R.
Mackenzie, W. F.
Macnaghten, Sir E.
Macnamara, Maj.
M'Cullagh, W. T.
Mandeville, Visct.
March, Earl of
Maxwell, hon. J. P.
Miles, P. W. S.
Miles, W.
Monsell, W.
Morgan, O.
Napier, J.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Newry and Morne, Visct.
Noel, hon. G. J.
Nugent, Sir P.
O'Brien, Sir L.
O'Connell, M. J.
O'Connor, F.
O'Flaherty, A.
Pakington, Sir J.
Plumptre, J. P.
Repton, G. W. J.
Richards, R.
Rufford, F.
St. George, C.
Shirley, E. J.
Simeon, J.
Somerset, Capt.
Spooner, R.
Stafford, A.
Sullivan, M.
Taylor, T. E.
Tennent, R. J.
Thompson, Ald.
Tyrell, Sir J. T.
Verner, Sir W.
Vesey, hon. T.
Vyse, R. H. R. H.
Waddington, H. S.
Walsh, Sir J. B.
Wawn, J. T.
Wortley, rt. hon. J. S.

TELLERS.

Castlereagh, Visct.
Grogan, E.

List of the Noes.

Abdy, T. N.
Adare, Visct.
Anson, hon. Col.
Anson, Visct.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Ashley, Lord
Bagshaw, J.
Baines, M. T.
Baring, rt. hn. Sir F. T.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Birch, Sir T. B.
Bouverie, hon. E. P.
Boyle, hon. Col.
Brackley, Visct.
Bramston, T. W.
Bright, J.
Brisco, M.
Brockman, E. D.
Brotherton, J.
Brown, W.
Bulkeley, Sir R. B. W.
Bunbury, E. H.
Burghley, Lord
Butler, P. S.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Caulfeild, J. M.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cayley, E. S.
Chandos, Marq. of
Chaplin, W. J.
Charteris, hon. F.
Childers, J. W.
Clay, J.
Clay, Sir W.

Clerk, rt. hon. Sir G.
Clive, H. B.
Cobden, R.
Cockburn, A. J. E.
Cocks, T. S.
Cowper, hon. W. F.
Craig, W. G.
Crowder, R. B.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Divett, E.
Douro, Marq. of
Drummond, H.
Duckworth, Sir J. T. B.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Du Pre, C. G.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellice, E.
Ellis, J.
Elliot, hon. J. E.
Emlyn, Visct.
Enfield, Visct.
Euston, Earl of
Evans, W.
Ewart, W.
Fergus, J.
Ferguson, Col.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Freestun, Col.
Fuller, A. E.
Gibson, rt. hon. T. M.
Glyn, G. C.
Goddard, A. L.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Earl
Guest, Sir J.
Hallyburton, Lord J. F.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, rt. hon. W. G.
Headlam, T. E.
Heneage, G. H. W.
Henley, J. W.
Henry, A.
Hervey, Lord A.
Heyworth, L.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. T.
Hogg, Sir J. W.
Hollond, R.
Hope, Sir J.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Howard, P. H.
Hume, J.
Jervis, Sir J.
Johnstone, Sir J.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennox, Lord H. G.
Leslie, C. P.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Loch, J.
Locke, J.
Lockhart, A. E.
Lockhart, W.
Lushington, C.
Mackinnon, W. A.
M'Gregor, J.
Mahon, The O'Gorman
Maitland, T.
Mangles, R. D.
Marshall, W.
Martin, C. W.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Milnes, R. M.
Milton, Visct.
Mitchell, T. A.
Moffatt, G.
Moore, G. H.
Morris, D.
Mowatt, F.
Mulgrave, Earl of
Mure, Col.
Norreys, Lord
Norreys, Sir D. J.
Ogle, S. C. H.
Ord, W.
Oswald, A.
Owen, Sir J.
Packe, C. W.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pearson, C.
Peel, rt. hon. Sir R.
Peel, F.
Perfect, R.
Peto, S. M.
Philips, Sir G. R.
Pigott, F.
Pilkington, J.
Pinney, W.
Plowden, W. H. C.
Power, N.
Price, Sir R.
Pryse, P.
Pusey, P.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Roche, E. B.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Sandars, G.
Sandars, J.
Scholefield, W.
Seymer, H. K.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Sheridan, R. B.
Sibthorp, Col.
Sidney, Ald.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smith, J. B.
Somerville, rt. hon. Sir W.
Spearman, H. J.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, Lord D.
Stuart, H.
Talbot, C. R. M.
Tancred, H. W.
Thesiger, Sir F.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Tollemache, hon. F. J.
Towneley, J.
Townley, R. G.
Townshend, Capt.
Traill, G.
Trelawny, J. S.
Trevor, hon. G. R.
Turner, G. J.
Tynte, Col. C. J. K.
Vane, Lord H.
Villiers, hon. C.
Villiers, hon. F. W. C.
Walmsley, Sir J.
Walpole, S. H.
Ward, H. G.
Watkins, Col. L.
Wellesley, Lord C.
West, F. R.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Willyams, H.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.
Wynn, rt. hn. C. W. W.
Young, Sir J.

TELLERS.
Tufnell, H.
Hill, Lord M.

VISCOUNT CASTLEREAGH then moved the adjournment of the debate.

LORD J. RUSSELL said, that considering the largeness of the minority, he should not further oppose the Motion.

Committee report progress.

BRIBERY AT ELECTIONS.

SIR J. PAKINGTON moved the appointment of the Select Committee on the Bribery at Elections Bill.

COLONEL SIBTHORP objected to the nomination of so important a Committee at that late hour. He hoped the hon. Baronet would postpone his Motion to another day.

SIR J. PAKINGTON said, he would have yielded to the request of the hon. and gallant Colonel, if he had assigned a sufficient reason for his doing so; but the only reason of the hon. and gallant Gentleman was, that he wished for more time to consider the names proposed. He (Sir J. Pakington) had given notice of the Committee on Thursday last, and postponed it on Friday at the desire of the hon. Member for Northampton.

COLONEL SIBTHORP: Then I shall move that the House do now adjourn.

MR. SPEAKER said, that as the hon. and gallant Gentleman had resumed his seat without making a Motion, he could not now propose it.

Sir H. WILLOUGHBY objected to the practice of appointing hon. Members to sit upon more than one Committee in the same Session of Parliament. He could point to one or two Members who were placed upon no less than twelve Committees in the last Session. He wished to see a more equal distribution of public business to the Committees. At present, also, there was the greatest irregularity in the mode of conducting business by the Committees, and he could point at Committees where examinations had been conducted without a quorum being present, and in some cases solely by the Chairman. In this instance, he had no objection to the names upon the Committee, though he observed that the hon. Member for Kilmarnock (Mr. Bouverie) was already upon one Committee, and he did not see why some other hon. Gentleman should not be appointed.

Mr. WILSON PATTEN said, the abuse to which the hon. Baronet had alluded was one that deserved the attention of the House. It happened on some occasions that the Chairman was the only Member of Committee that was left to examine witnesses, without there being another Member to cross-examine, or to bring out the proper bearing of the answers. To remedy this evil, he thought it would be desirable that the clerk of a public Committee should adopt the practice in private Committees, of calling the Chairman's attention to the fact, wherever there was not a quorum present, and that all business should then cease till five Members had again assembled.

The names of Sir John Pakington, Lord Ashley, Sir Frederic Thesiger, Mr. Bouverie, Viscount Mahon, Mr. Brotherton, Mr. Walpole, and Mr. Legh, were agreed to.

On the Motion that Sir John Hanmer be one of the Committee, Colonel Sibthorp opposed the Motion, and said he should divide the House.

Motion made, and Question put, "That Sir John Hanmer be one other Member of the said Committee." The House divided:—Ayes 31; Noes 3: Majority 28.

List of the Ayes.

Bramston, T. W.
Brotherton, J.
Campbell, hon. W. F.
Duckworth, Sir J. T. B.
Ebrington, Visct.
Evans, W.
Goddard, A.
Greene, T.
Hawes, B.
Howard, Lord E.
Lockhart, W.
Moffatt, G.
Nugent, Lord
Parker, J.
Patten, J. W.
Pearson, C.
Pigott, F.
Pilkington, J.
Price, Sir R.
Rice, E. R.
Sandars, G.
Spooner, R.
Sullivan, M.
Talbot, C. R. M.
Thompson, Col.
Thornely, T.
Tufnell, H.
Willyams, H.
Williamson, Sir H.
Willoughby, Sir H.
Wilson, J.

TELLERS.
Pakington, Sir J.
Hill, Lord M.

List of the Noes.

Buller, Sir J. Y.
Henley, J. W.
Waddington, H. S.

TELLERS.
Sibthorp, Col.
Mackenzie, W. F.

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, March 6, 1849.

Minutes.] Public Bills.—*Reported.*—Commons Inclosure.

5^a Relief of Distress (Ireland); Vice-Guardians of Unions (Ireland).

Petitions Presented. By the Bishop of Durham, from Monmouth, for the Adoption of Measures for the Suppression of Seduction and Prostitution.—By the Duke of Richmond, from Leicestershire and Scarsdale, for a Repeal of the Malt Tax.—By the Earl of Lucan, from Louth, against the Imposition of a Rate in Aid of certain Distressed Unions in Ireland.—By the Earl Fortescue, from the Parish of Sidmouth, for the Repeal of the Law of Settlement, and for the Establishment of a National Rate.

POOR LAW (IRELAND).

The Earl of Lucan and the Earl of Roden having presented petitions from Louth and Longford against the imposition of a rate on the whole of Ireland for the support of paupers in certain distressed unions,

The Earl of WICKLOW could not avoid addressing a few words to their Lordships upon the subject. The petition, referring, as it did, to a Bill then before the other House, might have been objected to by their Lordships upon a point of form.

Lord BROUGHAM said, it could not be refused, because it was of a general nature.

The Earl of WICKLOW: It was incumbent upon noble Lords from Ireland, who felt deeply the injustice of the plan proposed by the Government, to protest against it, and to call upon Ministers to reconsider the subject, and see whether some other mode could not be devised more just in its principle, more satisfactory to the feelings of the country, and better calculated to effect the object it professed to have in view. He believed it was necessary that they should accede to the proposition that, for a time, the whole property of Ireland should be taxed for the relief of the present distress. Such a tax, so applied for a time, would not be by any means so unconstitutional as the levy of the proposed rate in aid. What was there to prevent Her Majesty's Ministers from doing at once what they must do in the course of a year or two? For no one considered that a renewal of the income tax could take place without including Ireland; and why not, then, at once proceed to levy it, instead of the unconstitutional and offensive sixpenny rate in aid? The plan might be this—that the income tax should be levied at once; but, for two years to come, it should be appropriated to the relief of the distressed parts of Ireland. If that were proposed, Parliament would, without any doubt, accede to it. He did not mean to say that the income tax in Ireland should be solely for the support of the poor, but that the temporary relief having been afforded from it for two years, it should then be used for general State purposes, as in England. There was another mode which might be adopted. An advance of 1,200,000*l.* had been made from the Treasury, by way of loan, for the building of union workhouses in Ireland. Very little of it had been as yet repaid. Let it be put absolutely in course of collection within three years; but instead of carrying it into the Treasury, let it be given to relieve the pressing distress of the impoverished districts. The amount would be greater than—it would at all events be as much as—the Government expected to derive from the sixpenny rate in aid; and he begged them to observe how much more agreeable it would be to the people; for it was a debt which should be repaid, and the repayment of it would at once acquit the charge, and supply the wants of the poor. Either of these two modes would produce the sum of money required by Her Majesty's Government, without exciting the indignation and alarming the apprehensions of the people of Ireland. For it was no such thing as a movement of Ulster, or of Leinster, or of Munster; it was a general movement of the people of Ireland against the injustice of the proposed measure.

Petitions read, and referred to the Select Committee on the Irish Poor Law.

SICILY.

Lord STANLEY: I rise, my Lords, to put to Her Majesty's Government the question of which I gave notice yesterday, respecting the report that Her Majesty's Government had allowed the contractor for supplying arms to withdraw such arms from the Government stores, for the purpose of supplying them to the insurgents in Sicily; and, in doing so, I can assure both them and your Lordships that it is far from my wish, either myself to enter upon, or to lead the House into a general discussion upon the affairs of Sicily during the last twelve months. And I do not want your Lordships to pass any opinion even upon the partial transaction to which I wish to call attention at present. I wish merely to ask Her Majesty's Government for information as to a transaction which, if the reports which have reached me be true, seems to me, to say the least of it, one of very questionable character. This, my Lords, is the position of the matter, if I am rightly informed on the subject, arising out of our intervention in the affairs of Sicily. When, of two contending Powers, one was a friendly Sovereign, and the other some of his subjects who had revolted from him, the position that we should maintain should be one of strict and inviolate neutrality; and such was the case in Sicily. An armistice had been enforced upon those two contending parties—upon the King of Sicily upon the one hand, and upon the Provisional Government appointed by his revolted subjects upon the other; and Her Majesty's Government, whilst they enforced this suspension of arms, professed their determination to maintain an absolute and inviolate neutrality. Now, my Lords, an armistice so imposed, an armistice of indefinite duration, was in my opinion itself a violation of this professed impartiality; for it was in fact peculiarly well adapted to the views of the insurgents; and the longer it was enforced the greater would be the assistance it would afford them, because they had thereby the more time to provide themselves with arms, ammunition, and warlike stores, and the better opportunity of paying for them by means of forced contributions exacted from the wealthy proprietors in Sicily, who adhered with unflinching loyalty to their Sovereign. To make the matter perfectly clear, I will state to your Lordships the exact nature of the report on which I found my question. I have been told that a contractor in this country had engaged to supply a quantity of arms to the Sicilian insurgents, to be used for the purposes of civil war against their King, our ally—that this contractor had also entered into engagements to supply Her Majesty's Government with a quantity of arms for the use of the military force—that he had supplied a certain amount of arms which were deposited in Her Majesty's stores, placed there in fulfilment of this contract with the British Government. I have been told further, that as the period for the fulfilment of his contract with the Sicilians approached, he found he was incapacitated from supplying the contract with the insurgent Government, except through the intervention and with the assistance of Her Majesty's Government, and that in consequence he made an application to the Board of Ordnance for permission to withdraw from the Queen's stores a certain amount of these arms, placed there for the Queen's service, that he might supply these arms to parties who were at the time engaged in open hostilities—though it was at the time of an armistice—against a Sovereign in alliance with Her Majesty. I have been further informed that, on receipt of this application, the Board of Ordnance naturally demurred to comply, except on the authority of the Executive Government—that application was accordingly made by the contractor to Her Majesty's Secretary for Foreign Affairs—and that Her Majesty's Secretary for Foreign Affairs, with a full knowledge of the purpose to which these arms were to be applied, did consent that these arms should be withdrawn from the Government stores, where they were deposited, that they should be restored to the hands of the contractor, and through the medium of the contractor were furnished to the insurgent Government of Sicily. I believe that the facts of the case will be found to be not inconsistent with what I have stated, and I ask the question rather as a matter of form, though I shall be exceedingly glad if I have been mistaken in the substance; but I state these facts with the more confidence, because, if I am not misinformed, a similar question was put a few days ago to the noble Lord the Secretary of State for the Foreign Department, when his answer confirmed the statement I have now made. I do not know whether any guarantee, security, promise, or expectation of any kind has been held out by the British Government to bear a portion of the expense of these arms; but whether that be so or not—if the facts be as I have stated—though I ask none of your Lordships for an expression of your opinion—but if the facts be so, then I say that it appears to me that the facilities afforded by Her Majesty's Government, by permitting the withdrawal of arms furnished for Her Majesty's service from the public stores, to enable the contractor to fulfil his contract with the Sicilian insurgents—that this is, to say the least of it, a proceeding of a very questionable character, and is, in my judgment, inconsistent with a strict and impartial neutrality. I now wish to hear from Her Majesty's Government, whether the facts be as I have stated, as I believe them so to be, though I shall rejoice if I am mistaken; but I ask now for information, and I shall reserve the expression of my opinion to that period, which cannot now be far distant, when, on receipt of the answer of the King of the Two Sicilies to the ultimatum which, it is understood, has been sent him from this country, the negotiations on the general question must be drawing to a close, and no further impediments can exist towards laying before your Lordships all the materials for a full and fair discussion of this question.

The MARQUESS of LANSDOWNE said: I shall follow the example of the noble Lord in reserving the expression of my opinion upon these proceedings until we have an opportunity for a discussion of the whole question. Unquestionably there is a foundation for the question which the noble Lord has asked; and I conceive that I shall act rightly in stating accurately, for the information of the House, what actually took place. It certainly is the case that a contractor, who was habitually the contractor for arms to Her Majesty's Government, did, in the autumn of last year — I believe previous to the negotiation of the armistice, though I do not know that to be the fact—make an application to the Board of Ordnance to be allowed to take back certain guns which he had made for Her Majesty's service; and did it for the purpose of fulfilling another contract which he had entered into, to supply arms for the use of the Sicilian Government existing at that time. The Board of Ordnance did make an application upon the subject; and, undoubtedly, it did happen that the Foreign Department did afford facilities—that they did allow the contractor to take back the guns. I am quite ready to admit also, that when this transaction came to be known to Her Majesty's Government, although they could not look upon it as amounting to a direct interference with the contest then going on between Naples and

Sicily, yet it did appear to be so liable to misconstruction, as an indirect interference, that it was the deliberate opinion of Her Majesty's Government, that it was matter of regret that permission had not been withheld; and, in pursuance of that feeling of duty which ought to bind Powers, and especially such a country as this, in its conduct towards the comparatively less powerful country of Naples, it was felt that this country ought to be beforehand in taking the opportunity to tender explanation and satisfaction so far as was in our power; and, accordingly, at the commencement of the present year, Mr. Temple was fully authorised, if any complaint was made to him, fully to explain to the Neapolitan Government the nature, the amount, and the conditions of the transaction; to add, that it took place wholly from inadvertence; and to add, farther, the most positive and distinct assurance that measures had been taken to prevent the recurrence of such an inadvertency. It is not material to state, what in point of fact is the case, that these guns, both from their number and from the mode in which they are known to have been employed afterwards — having been placed in garrison, not used in the field—have not been of much service to the Sicilians; but it is right to say, that my noble Friend at the head of the Foreign Department has represented to the Neapolitan Government that we are ready to give the fullest and most explicit explanation of the whole transaction, coupled with our regret at what has taken place.

Lord BROUGHAM wished to know whether the noble Marquess, by the use of the phrase "Sicilian Government," did not mean the Neapolitan Government?

The Marquess of LANSDOWNE: I mean the Government, *de facto*, in Sicily.

Lord BROUGHAM: The Sicilian Government is the Government of the King of the Two Sicilies; and the insurgents there have no more right to call themselves the Sicilian Government, than Smith O'Brien's committee had a right to call themselves the English Government.

The Earl of ELLENBOROUGH said, his noble Friend (Lord Stanley) had abstained from every thing which bore upon the relations existing between this country and Sicily—the noble Marquess who followed him had exercised the same forbearance; and he would follow the same example, though he might state that he certainly entertained a very strong opinion with respect to the obligations incurred by us through the part we took in the establishment of the constitution granted to Sicily in 1813. He wished only to say one word with regard to the meaning which he attached to the term "insurgent," which his noble Friend who spoke last, and his noble Friend who put the question, had applied to the existing Government of Sicily. He understood them to use that word in its literal meaning—not in any bad sense; he accepted it as meaning that, in point of fact, they had risen against the Government. Previously to 1813 the Sicilians had a constitution *de jure*, which unfortunately did not exist *de facto*, and they were in the same position, with regard to that constitution which the people of England were in with respect to their constitution before William III. came over to secure the liberties of this country. In 1813, they had a new constitution—that constitution was established under the auspices, with the influence, and through the power of this country. In 1816, without their own consent, the King of the Two Sicilies put an end to the constitution, and united Sicily and Naples under the same Government. The people of Sicily were, at the present moment, undoubtedly in opposition to their Sovereign—that was to say, they were insurgents, as the barons and the people of England were against their Sovereign, King John; they were insurgents, as the people of this country were against James II. They desired to re-establish a constitution to which they were as much entitled at this moment as the people of England were to their rights under Magna Charta previous to the signature of that treaty, or as the people of England were to the rights that were afterwards secured to them by the revolution. He would say no more. He should be very happy to give his opinion when the question was brought before the House; and he trusted that the opinion then expressed by Parliament might be consistent with the honour of this country.

The Earl of ABERDEEN: My Lords, I had no intention to disturb your Lordships by a single word; but, after what has fallen from the noble Lord, I must say that I think the question for us to decide is, not what the rights of the Sicilians may be, or what right the Sicilians may have to rise against their Sovereign, but whether this country has preserved an honourable course of policy and a true neutrality. I think it is quite unnecessary to give any opinion upon what the grievances of the Sicilians may be, or what may be the course which they think proper to take for the redress of their grievances; but of this I am quite certain—that if we have guaranteed to the Sicilians the maintenance of their rights, it is our duty to assist them. If, on the other hand, we have given no such guarantee, I maintain that it is dishonourable and disgraceful to us to affect a neutrality which we do not strictly and honourably observe. I am unwilling to enter upon the question which has been raised; but as my noble Friend who spoke last, and the noble Lord who put the question, have both deferred the discussion to another day, I fully concur with them; and I admit the difficulty which any Government in this country must have to prevent remonstrances being made by foreign Powers on matters which constitute an apparent deviation from neutrality. I fully admit that difficulty. So long as arms and ammunition may be lawfully sold here to other countries, it is difficult to make foreign States understand that this Government has no means to prevent such transactions. I know by experience that such is the case. But the transaction referred to by my noble Friend is one of an entirely different nature, where the Government itself took part in it, and must, of course, be liable to any observations which may be made upon their conduct. However, after what we have been told by the noble Marquess, I feel that Her Majesty's Government are aware of the objectionable nature of the transaction, and, consequently, I have no further observations to make upon that head. But I could not help, after what fell from the noble Lord near me, stating these few words to your Lordships.

The DUKE of WELLINGTON: My Lords, having stated to your Lordships on the first day of the Session my views upon this subject, I shall now only make one or two observations. My Lords, the King of the Two Sicilies, commonly called the King of Naples, but recognised by the title of the King of the Two Sicilies, when he signed the Act of Accession, in accordance with the Treaty of Vienna, inserted in that Act of Accession certain conditions on which he accepted the sovereignty, which conditions included his title of King of the Two Sicilies, and also specified the manner in which the government of the island of Sicily should be carried on. This is a part of the Treaty of Vienna; and I say, my Lords, that this country, which accepted the Act of Accession on the part of the King of the Two Sicilies, is as much bound by the conditions stated in that Act, as she is by any other article in the Treaty of Vienna. Now, it is perfectly true that this country is not bound to enforce execution of the provisions of that article, or of any other article in the Treaty of Vienna with regard to other Powers. That which the Sovereigns of this country do when they give a guarantee for the execution of any one point in these treaties is, to bind themselves not to depart either from the letter or the spirit of these treaties. They do not bind themselves to enforce the execution by others on either side, but they bind themselves not to depart from the treaty. In this instance, when the King of Naples took upon himself the assumption of the kingdom of the Two Sicilies, he bound himself that he would never be guilty of any breach of the article contained in his Act of Accession; but if he did not act accordingly, if there was, in consequence, a trial of arms between him and the Sicilians, or any other Power, of course we are bound to remain neutral during the contest. We ought not to interfere in the affairs of Sicily against the provisions of the article contained in the Act of Accession which was introduced into the Treaty of Vienna. I say, therefore, my Lords, I hope that Parliament will find, after all the papers on this subject have been laid before them, that no step has been taken which can be construed into a breach of one of the provisions of the Act of Accession, which I take to form a part of the Treaty of Vienna.

The EARL of MINTO said, in consequence of what had fallen from the noble Earl opposite, he was anxious to set himself right with their Lordships. Though he had been employed, and most anxiously employed, in endeavouring to bring about an accommodation between the King of Naples and his Sicilian subjects, and though he had been most anxious to maintain, if it were possible, the union between the two Crowns, yet he never did consent to treat with Sicily on any footing which could suppose them to be in unlawful insurrection against their Sovereign; but on the footing of men who were in point of fact engaged in the assertion of rights to which they had every possible claim. On those terms and on that footing alone he consented to mediate between the two parties. He had stated to the Neapolitan Government, that he conceived the Sicilian Government possessed an absolute right to the constitution of 1812 as the constitution by which they were then entitled to be governed; but, at the same time, he was anxious to employ the good offices of England to induce them to accept of any reasonable concessions which the Government might be disposed to offer. But he could not allow it to pass as a matter of course that the Sicilians were to be treated as being in rebellion against their lawful Sovereign at the time, when he believed them to be fully entitled to all they claimed. There were other considerations equally obligatory which attached to this country; but that was a subject which could only be properly discussed when all the papers were before their Lordships.

Lord BROUGHAM said, before the papers were discussed, he wished his noble Friend would take an opportunity to read two or three times over the Treaty of Vienna, as he seemed to have forgotten part of it. He hoped his noble Friend (Lord Minto) would refresh his memory upon the subject; and, if he had not a copy at home, he would take the liberty of sending him one. Also, he wished his noble Friend would just mention, when the debate did come on, whether he considered the King of the Two Sicilies to be King of the Two Sicilies or only one of them — King of Naples — because he and his noble Friend (Lord Ellenborough) appeared to put a different construction on the treaty. He appeared to consider the constitution of 1812 just as Louis XIV. considered James II. as the King upon the Throne of England; and, though a period of thirty years had elapsed, and William III., Queen Anne, and George I. held firm possession of it, yet in the eyes of the King of France the King of England was not on the Throne of England, but was the person whom we denominated the Pretender. So the noble Earl appeared to regard the Sicilian constitution which had been pulled down in 1816, and had never since found ony one that could raise it up again.

The Earl of MINTO would say one word in reply. He certainly had read—and it was neither a long nor a difficult task—the Treaty of Vienna. That which related to this matter was wholly comprised in one article—the 104th—and there was not another word in the treaty touching the question. That article went no farther than this. It provided for the restoration of the King to his Neapolitan dominions, and it recognised him by the style and title—nothing more than this—by the style and title of King of the kingdom of the Two Sicilies; and also, which perhaps the noble and learned Lord was not aware of, it recognised his title of King of Jerusalem.

Lord BROUGHAM: But you did not go to Jerusalem?

The Earl of MINTO: No, he did not go to Jerusalem. He might add, there were other treaties, with which the noble Lord did not appear to be acquainted, that related to the history of the period.

MORTALITY IN IRISH GAOLS.

Lord MONTEAGLE rose to move for certain Irish criminal returns, and returns showing the mortality in the prisons of Ireland during each of the last five years. He said, the object of his return was to show that the mortality in the Irish prisons had been augmented, in the three years 1845-6-7, from 131 to 1,315; and while the commitments to prison had augmented 2 to 1, the mortality augmented 16 to 1. He doubted whether so frightful a result had ever before been exhibited; and in the report of the prison inspectors of Ireland, this increase of mortality was to a great degree attributed to the decrease of transportation. To affirm that Parliament was unwarranted in repealing the punishment of transportation, or the Government justified in suspending its infliction, was impossible if the prisons were brought into such a condition by the alteration of the law or the practice, that within three years the deaths in prisons, including the untried as well as the convicted, the debtor as well as the criminal, should have augmented tenfold—this was a state of things which ought not for one moment to be allowed. The following were the words of the report of the Inspectors General of Prisons on this point:—

> "The fourth cause of the great pressure has been the unfortunate necessity which occurred simultaneously with the distress, of discontinuing transportation to Van Diemen's Land. This had inevitably resulted in the Government being compelled to leave large numbers of persons under rule of transportation in the county gaols. This necessity will be at once admitted when we state, that at the commencement of the year 1847, there was not accommodation for a single prisoner sentenced to transportation at the disposal of Government; Smithfield prison, the only one previously available, requiring to be entirely remodelled, in order to render it fit for the confinement of prisoners for lengthened periods. During the year 1847, the number of prisoners sentenced to transportation actually increased fourfold — the average of male prisoners transported during the

preceding seven years being only 618, while, including 200 left at the termination of the year 1846, the number has within the last year amounted to 2,350 convicts, up to the 14th February, 1848."

He felt justified, therefore, in saying that it was imprudent—to use no stronger word —to discontinue or greatly to reduce transportation to the colonies, until some measure had been devised and adopted which was calculated to serve as a substitute. The last return for which he would move was, the number of prisoners sentenced to transportation, and imprisoned for the same period. His noble and learned Friend (Lord Campbell) had on a former night most unjustly and erroneously attributed this to a settled design of the Irish magistrates, by the corrupt and oppressive use of authority, to provide emigration for these paupers at the public expense. This was a serious charge coming from one who for a period, however short, stood, as Lord Chancellor, at the head of the Irish magistracy. He would not weaken the force of the triumphant reply given by his noble Friend (Lord Stanley) to this most unwarrantable accusation. But he would remind those who had not heard that conclusive refutation, that the charge, though aimed at the Irish justice of the peace, in reality fell on Lord Clarendon, whose duty it would have been, if the charge were well founded, to have protected the Queen's subjects from this injustice. It was hardly necessary for him, likewise, to add that these sentences were not pronounced by these magistrates at all, but by independent judges, the assistant barristers appointed by the Crown. But his learned Friend was wholly uninformed of the facts of the case. The pressure of distress was the great cause of the increase of crime. In truth as well as in poetry, the *turpis egestus* and the *malesuada fames* were closely united. The great augmentation of crime in Ireland within a certain period had arisen under the severe pressure of the distress which prevailed in that country, and this was apparent from the character of the offences committed. The great part of the more serious offences consisted of sheep stealing and cattle stealing. God forbid that he should seek to excuse or to palliate that or any other crime! but he merely mentioned what was an undoubted fact, to be easily explained by the state of famine and of abject poverty which so generally prevailed. With regard to the working of the Vagrancy Act, the report states—

"This law, passed last Session, compels magistrates to commit to gaol all persons found begging, whereby an immense mass of destitution, filth, and disease is forced into prisons, never in their original construction calculated to receive. It must be borne in mind that, in addition to the want of absolute room in the prisons, the supplies of bedding and clothing are limited to the average wants of each county, and that the present distress for funds in all the counties of Ireland precludes the possibility of those supplies being enlarged to any extent at all capable of meeting the present demand. The immediate evil then is, that numbers of these wretched creatures so committed are obliged to lie on straw in the passages and day-rooms of the prisons, without a possibility of washing or exchanging their own filthy rags for proper apparel. The effect of such a state of things as this upon the health and lives of the other unfortunate inmates of the prison, requires no comment. Upon the necessity of passing this Act, or the propriety of the mode of punishment adopted under it, it is not our place to offer any opinion; but of its effect upon the condition of the gaols we are painfully conscious."

If Parliament made an alteration in the criminal law of the country, they were bound to look before them, and to see that there were means to carry such alteration into effect. If they passed laws against mendicancy and vagrancy, they should inquire first whether those laws could be executed. That, however, had not been done in the present case. As to these alterations in the transportation system adopted by Her Majesty's present Government he had only to add, that he was sure the noble Lord (Earl Grey) would have abandoned them fifty times over rather than have adopted the course which he had pursued, if he knew the calamitous effects which would have followed. The noble Lord concluded by moving for the returns in the words of his notice.

EARL GREY said, that it might be for the convenience of the House if he at once followed his noble Friend, and stated what the facts really were. Of course, he could have no objection to the returns that were applied for being granted; but with respect to the inference which his noble Friend had drawn, that the increase of mortality in the prisons in Ireland was owing to a change of policy with regard to transportation, he should admit that the whole argument would be irresistible, were it not that it was open to the slight objection of resting on no foundation whatever —that what were put forward as facts were not facts at all. The inspectors of prisons in Ireland had got into a bad habit, which sometimes existed in that country, of imagining facts, and then arguing on that foundation alone, without taking any trouble to ascertain what the real facts of the case were. Their Lordships had just heard it stated, on the authority of those inspectors, that transportation from Ireland had been done away with. Now, with regard to female convicts, their Lordships were aware that no change had taken place; and as to the male convicts, he held in his hand a return of the number of convicts that had been sent from Ireland for the five years ending in 1845, and for the three years that had since elapsed. He found that the average number of convicts sent from Ireland in the five years between 1841 and 1845 inclusive, was 538, while the average number for the years 1846-7-8 was 562, being an increase of 24 on the former period; in the last named year, 1848, the number of convicts removed from Ireland was no less than 855. The real fact was, that the overcrowding of the gaols in Ireland was owing, not to the convicts having been kept at home, but, as the noble Lord had stated, to the great distress which prevailed in the country. The number of convictions in Ireland had increased to a most frightful extent; and he could not avoid adding his opinion, that the sentence of transportation had been latterly passed in Ireland in rather an indiscriminate manner. He found that up to 1845 the average number of male persons sentenced to transportation in Ireland was less than 545, while in 1847 the number was 1,870, and in 1848 it amounted, he believed, to nearly 1,900. At the last quarter-sessions in Ireland, independent of the assizes, the number sentenced to transportation, for one quarter of a year, was greater than the average annual number up to 1845, for both quarter-sessions and assizes. It was obvious that so enormous an increase in the number of convicts could not but place Government in a most difficult position, seeing that no adequate provision existed for their reception in the colonies. He should be sorry to censure the gentry of Ireland, but he could not, consistently with his duty, avoid expressing his conviction, founded on these returns, that the grand jurors of Ireland had not exercised the powers entrusted to them by the Legislature, of increasing the prison accommodation under their charge. The noble Duke opposite (the Duke of Richmond), who had paid much attention to this subject, would bear him out in the statement, that it was, of all things, most important, in maintaining a proper system of prison discipline, that the accommodation should be fully proportionate to the demand to be made upon it. The grand juries possessed powers of increasing, either permanently or temporarily, the gaol accommodation in their several districts. These powers were exercised by the magistracy in this country by making provision, from time to time, for necessary additions to the gaols; and in conferring that power upon the grand juries in Ireland, the Parliament had done all that could be required of it. As to the Vagrancy Act, he could not but believe that it would be a useful practice to check the demoralising practice of vagrancy in Ireland, as well as in this country. Her Majesty's Government had done all in their power to meet the existing evils. He need scarcely remind their Lordships that their predecessors in office had discovered, in 1846, that from the want of accommodation in Van Diemen's Land and Norfolk Island, the only two settlements to which convicts from Ireland had been sent, the most fearful state of things existed, which rendered it absolutely necessary to suspend the sending of convicts there for some time. Every exertion was made to provide accommodation elsewhere. Sevaral depôts had been formed in Ireland, at Spike Island, at Portland, Gibraltar, and elsewhere, and accommodation was thus afforded for no less than 1,400 convicts within the last two years. He regretted, as deeply as the noble Lord could do, the calamitous results which followed the overcrowding of the prisons in Ireland; but, at the same time, their Lordships would see, that in this question of transportation, it was absolutely necessary to proceed with caution. As he had stated the other night, he believed that transportation, when attended with proper precautions, was a most invaluable system of punishment; but if they sent abroad an unlimited number of convicts, without having proper accommodation provided for them, they should make up their minds to discontinue the system altogether. He was quite convinced that it was impossible to relieve the prisons of Ireland by sending such large masses of convicts abroad, while they had no accommodation for their reception. At the same time, the Government were doing everything in their power to extend that accommodation as much as possible. At Bermuda the depôt on dry land was progressing very rapidly. At Portland, too, they were providing large accommodation, and though this was intended for English convicts, it would have the effect of enabling a large number of Irish convicts to be received elsewhere. But, in addition to these considerations, they had the fact that a great proportion of the Irish convicts were utterly unfit for transportation, and the Lord Lieutenant had felt it necessary to issue instructions that no convicts should be forwarded for transportation who were not certified as fit to endure the voyage. This was found to be necessary in the case of a vessel that had been sent from Ireland with convicts, in 1847, to Bermuda; the Governor had reported that the constitutions of the prisoners had been so completely broken down by the previous famine, that they were unable to bear even that short voyage; and there was little doubt that if they had been sent the long voyage to Australia, the mortality would have been frightful.

The DUKE of RICHMOND said, it was very inconvenient, that whenever an Irish Peer made a statement in their Lordships' House, another got up immediately afterwards to contradict it; but this system of contradicting assertions was carried still farther in the noble Earl's comments on the report of the Irish inspectors of prisons. He was loth to take for granted any statement that came from Ireland; but certainly if the gaols were in such a state as had been represented by the noble Lord, it was the duty of the Government to institute some inquiries on the subject. He could not understand how magistrates could commit persons to gaols when fever was rife, and still it would appear that many of the convicts were fitter for an hospital than a prison. He should only further say, that the number of Irish labourers wandering about this country was really alarming. They went in bands to the cottages, and, while the husband was away at his work, forced the wife to give up the food she had prepared for him and her children. He hoped that by some means an alteration would soon be effected in so deplorable a state of things.

LORD MONTEAGLE replied: He begged altogether to protest against the discredit most unjustly thrown on the Inspector General's reports, by the Secretary for the Colonies. The report from which he had quoted had been lying on the table since last year. He had then stated the facts precisely as he had done to-night; he had at that time called the attention of the Secretary of State to the frightful statement the report contained. Its truth had not been for a moment controverted. From that time to the present these statements were before the Government, without any commentary or correction having appeared, and without the censure or dismissal of those public officers, who were now charged by a Minister of the Crown with the offence of falsifying public documents presented to Parliament by command of Her Majesty. Every fact on which he had relied was set forth in the report. As to the charges made by the noble Lord against the Irish grand juries, it was certainly the first time that he had ever heard those bodies charged with an indisposition to spend the public money. And he begged to add, in proof of what they had done in this respect, that the expenditure on account of prisons for the last few years was nearly double what it had been previously. He then spoke in the presence of two noble Lords who had filled the office of Chief Secretary for Ireland (Lord Stanley and Lord St. Germans), and he would appeal to them whether the prisons of Ireland had not been during their tenures of office as regularly and efficiently conducted as any similar establishment in any part of the empire?

EARL GREY begged to explain: He had not stated that the prisons' inspectors of Ireland had reported what was not true in point of fact as to the removal of the convicts to Van Diemen's Land having been discontinued, which they all knew was not the fact; but what he had stated was, that the argument of the noble Lord, based upon their report, that the existing evil was caused by the change of policy with regard to transportation, and the discontinuance of the removal of convicts from Ireland, was unfounded, inasmuch as a greater number of convicts had been sent out of Ireland during the last three years than in any former period. He might add that the whole subject was under the earnest consideration of his right hon. Friend the Secretary of State for the Home Department and of the Lord Lieutenant, and one of the results was, the recent discharge of a large number of prisoners, whose period of imprisonment had been nearly completed.—Motion agreed to.

House adjourned to Thursday next.

HOUSE OF COMMONS,

Tuesday, March 6, 1849.

MINUTES.] PUBLIC BILLS.—3° Petty Sessions; Distraining for Rates.

Petitions Presented. By Mr. Hume, from the Town of Ross, in the County of Hereford, for Referring War Disputes to Arbitration.—From the South Devon Railway Company, respecting Taxation on Railways.—By Mr. Rumbold, from the Town of Great Yarmouth, for an Alteration of the Law respecting Gas Meters.—By Mr. Saunders Davies, for Including South Wales in the Highways Bills.—By Mr. Cumming Bruce, from Merchants, and Others, of the Port of Hopeman (Scotland), and by other Hon. Members, from several Places, against the Navigation Bill.—By Mr. Shafto Adair, from the Guardians of the Ballymena Union, in the County of Antrim, against the Proposed Rate in Aid (Ireland).—From the Board of Guardians of the Cardiff Union, against the Renewal of the Poor Law Union Charges Act.—From the Guardians of the Darlington Union, in the Counties of Durham and York, for an Alteration of the Public Roads Bill.—By Mr. Cumming Bruce, from the Presbytery of Nairn, for an Alteration of the Law for Registering Births, &c. (Scotland).—By Mr. Cobden, from Huddersfield, and its Vicinity, for Referring War Disputes to Arbitration.

THE CONVICT MITCHEL.

Mr. ROBINSON said, that in putting the question of which he had given notice to the First Lord of the Admiralty, his object was to ascertain whether there was any foundation for the rumour that had been extensively circulated, that Mitchel, while on board the *Scourge*, on his way to Bermuda, was allowed to mess with the officers of that vessel; and, in other respects, placed on a footing in reference to those officers, which, he being at the time a convict in course of undergoing his sentence, was, if true, highly derogatory to them as officers bearing Her Majesty's commission. The question he wished to ask was, whether any report had been made to the Admiralty by Commander Wingrove, of Her Majesty's sloop *Scourge*, respecting the treatment of the convict Mitchel on his passage to Bermuda?

Sir F. BARING felt obliged to his hon. Friend for the opportunity he had thus afforded him of giving some explanation upon the subject of the rumours to which he had alluded. From a report which he had just received, it appeared that it was quite correct that Mitchel, while on his passage to Bermuda on board the *Scourge*, dined at the captain's table; but it was not correct that he messed with the officers of the ship. Commander Wingrove, in his report stated, that he gave the order for Mitchel to dine in his (the commander's) cabin, in order that he should be separated from the other officers, who, he thought, ought not to be brought into contact with him. This arrangement was made for the purpose of safe conduct, and also, in some respects, from motives of humanity in reference to the convict's state of health. The Admiral on the station, Lord Dundonald, had made inquiry into the matter, and reported that he was quite satisfied that all that was done was with the view of the safe conduct of the prisoner, and to separate him from the officers of the ship, and not with the view imputed in the rumours which had gone forth.

Mr. ROBINSON had understood, that the order given by the Admiralty to the commander of the *Scourge* was, to confine Mitchel in a separate cabin, wherein he was to take his meals, and to place a sentry over him. He was sorry to say, that the answer he had just received, showed that that order had been deviated from; and he wished now to be informed whether any notice had been taken of that which certainly appeared to him a direct disobedience of orders on the part of Commander Wingrove, by the Admiralty, or the Admiral of the station.

Admiral DUNDAS said, the order given to Commander Wingrove was to take every precaution for the safe custody of Mitchel; and, having consideration to the state of his health, to treat him in all respects as a convict. It appeared, the accommodasion the ship afforded did not allow of his having a separate cabin to take his meals in; and the captain, under those circumstances, thought it right to place him where he would be under his own eye, and at the same time separated from the other officers of the ship, with whom he never messed.

THE WAR IN THE PUNJAUB.

Lord J. RUSSELL rose, and spoke as follows: Sir, the hon. Gentleman the Member for Montrose asked me a question yesterday relating to the affairs of India. I then stated, that Her Majesty's Ministers had tendered certain advice to Her Majesty on that subject; but that until I had received a reply from Her Majesty, I could not answer the question of the hon. Gentleman. I have now to state, that the advice which was by us humbly tendered to Her Majesty was, that Sir Charles James Napier should be appointed Commander-in-Chief of the troops in India. Sir, Her Majesty was pleased most graciously and fully to approve of that appointment; and both the Duke of Wellington, the Commander-in-Chief, and I, have seen Sir Charles James Napier to-day; and I have the satisfaction to state that he is ready to obey Her Majesty's wishes, and to proceed to India in the capacity to which Her Majesty has appointed him. The Court of Directors have not yet met, but I believe that they will meet to-morrow; and, from what I know of their patriotism, I fully expect that they will receive with joy and satisfaction the appointment which Her Majesty has been pleased to make.

MR. BERWICK—THE OFFENCES (IRELAND) BILL.

Sir H. W. BARRON, in referring to this matter, observed that the name of Mr. Berwick had been mentioned in connexion with a Bill which he had introduced last Wednesday. Now, that gentleman felt and thought that the statement which he (Sir H. W. Barron) had made, was, so far as it concerned him, not literally correct. He wished, therefore, to give to the House, in Mr. Berwick's own words, his own version of the whole transaction. Here was his own statement; and certainly in some respects, and at first sight, it was not very flattering to him (Sir H. W. Barron). Still, however, he felt that, as a man of honour and a gentleman, he was bound to give Mr. Berwick's own version of the affair. That was the fair and honourable thing to do. The hon. Baronet then read extracts from the letter, to the following effect:—

> "Having seen my name mentioned in connexion with a Bill brought forward by Sir H. W. Barron in the House of Commons, and which it was said that I had suggested and drawn up—I beg to say that such statements were entirely erroneous. I was never consulted by Sir H. W. Barron, nor had I any communication with him on the subject, nor did I suggest and draw up such a Bill—much less hand it to him."

He (Sir H. W. Barron) had to state in reply to this—that every word of it was literally true; and he thought that hon. Members would see that what Mr. Berwick stated was perfectly consistent with his statement in the House. The medium of communication between him and Mr. Berwick was a professional gentleman of twenty-five years' standing as a solicitor—a gentleman well known both in Dublin and the south of Ireland. Therefore he had no personal communication with Mr. Berwick—nothing could be more true than that he had not. He now came to the next point. Mr. Berwick went on to say:—

> "A friend of Sir H. W. Barron, with whom I am well acquainted, sent me a most voluminous Bill on the subject—a Bill which appeared to me to be in a very unfinished state. He told me that he wished me as a friend to look over the Bill, as Sir H. W. Barron was to bring the subject forward in the House. I read it through, and, having seen the same gentleman by accident some time afterwards, I told him I thought the measure very objectionable, and in some respects ridiculous."

[*Loud laughter.*] Hon. Gentlemen laughed a little too soon. It was not his (Sir H. W. Barron's) Bill. He had never read a word of it. Mr. Berwick continued—

> "I thought that some of the matters referred to might be made the subject of a new legislative enactment, which would, in all likelihood, be impeded by the introduction of such a Bill as his. On being pressed by him to look over the document again, which he assured me was copied verbatim from the Dublin Police Act, I did read it over, merely to oblige him, but not professionally, nor in the slightest degree undertaking any responsibility, or giving any encouragement thereto."

The Bill had, however, lain in Mr. Berwick's hands for seven or eight weeks, and it was evident that he had directed his attention to it. Let the House remark the following passage in the letter:—

> "I drew my pen through at least one half of the penal clauses, and made some trifling alterations in some others, but I did not feel myself called upon, nor, indeed, had I the time or inclination, to model or arrange anew the part which remained, the Bill being plainly in an unfinished state, and evidently requiring further consideration. I did, however, draw one clause, which I thought, and still think, most valuable and most merciful to the poor, giving to magistrates summary jurisdiction in certain cases of larceny; and I either drew or corrected a clause relative to cases of rescue, of which I also approved, and for both of which alone I feel myself responsible. But I never dreamt of being held responsible for the general clauses of a Bill of which, on the whole, I disapproved—which I never believed would be introduced into Parliament, if introduced at all, without being remodelled and submitted to the opinion of counsel; and, certainly, if Sir H. W. Barron had done me the honour of consulting me, I should have given him my opinion of his Bill as freely as I gave it to his friend."

He had had no opportunity of consulting with Mr. Berwick upon the Bill, but he had certainly understood that Mr. Berwick had authorised the Bill, and that gentleman's statement went to bear out his opinion that the Bill had been revised and corrected by him. [*Cries of* "Question!"]

Mr. SPEAKER here interposed, and said, that the hon. Baronet had stated quite enough to explain any personal matter connected with the affair. The hon. Baronet must not comment upon the subject.

Sir H. W. BARRON said that he only wished to justify himself in connexion with the Bill.

Mr. J. O'CONNELL trusted that the House would understand that Mr. Berwick disclaimed having had that share in the preparation of the Bill which had been imputed to him.

Sir G. GREY said, that in justice to those who had drawn up the Dublin Police Act, he thought it right to state that upon comparison a great discrepancy would be found between the provisions of this Bill and those of the Dublin Police Act. He was also happy to say he had received a communication from the Lord Lieutenant, in which he requested that his testimony might be borne as to Mr. Berwick's great professional talents.

Viscount BERNARD was also happy to bear testimony to Mr. Berwick's abilities.

Sir H. W. BARRON had sat upon several juries with Mr. Berwick, and was also in a position to bear testimony to the legal abilities displayed by Mr. Berwick.

Sir W. SOMERVILLE was sure that his hon. Friend the Member for the city of Waterford had had no personal object to gain in the introduction of this Bill. The hon. Member had stated to him that he intended by his Bill the more speedy detection and punishment of offences, and he (Sir W. Somerville) had stated that he thought that to be a very desirable object. He was glad also to be able to speak to the abilities of Mr. Berwick.

Subject dropped.

POOR LAWS (IRELAND) ADJOURNED DEBATE.

The House then resolved itself into Committee, Mr. Bernal in the chair.

Mr. GROGAN said, that the proposition of the Government was a novel one, because it required that one part of Ireland should be taxed for the support of another part. He thought that the Government were not justified in throwing this burden upon the more fortunate districts without ascertaining whether or not the distressed districts were able to bear the imposition of the tax. They had made out no case for the proposed measure, except that which rested on the tyrant's plea, necessity, which would justify this as well as any other robbery. He also charged the Government with remissness, in not specifying what they thought would be the produce of the rate, and with not coming forward with any statement as to whether this rate would be continued or not. If the request put forward two years ago by the representatives of Ireland, that the English poor-law should be extended to Ireland in all its integrity, had been granted, this rate in aid would not have met with so much opposition. The principle of that law, however, was not extended to Ireland in all its integrity. A comparison of the operation of the poor-law in Ireland and England would show that discrepancies existed sufficiently great to account for the discontent which now prevailed in Ireland against this proposed rate in aid. At all events, if the Government resolved to press an English poor-law upon Ireland, let it really be an English poor-law, whereas the present Irish poor-law differed from the English law in many important particulars; for instance —as to the relative proportions of population and area in the subdivisions of the unions—"parishes" as they were called in England, or "electoral divisions" in Ireland. Why did they not remodel the system of electoral division, and adapt the law to the means of the people? Assimilate the law of Ireland with the law of England, and then there might be a chance of a poor-law succeeding. Give them the English poor-law in its entirety, and he for one was quite prepared to adopt its responsibilities. The arguments, if such they could be called, in favour of this measure, were really scarcely deserving of an answer. The right hon. Baronet the Member for Tamworth had actually adverted to the exemption of Ireland from the income tax, as if he had not himself proposed it, and upon grounds, it was to be presumed, perfectly proper and adequate. The mention of the income tax reminded him that the rate in aid would resemble it no doubt in one respect, namely, in its duration—a duration indefinite, and though not at first limited to a particular period, likely to be perpetually prolonged, and really permanent. Then, as to the argument founded upon the exemption of Ireland from the brick and soap duties, it really was ridiculous; for did not the exemption apply equally to every portion of Ireland? How, therefore, could it be any reason for applying this imposition only to one district? Equally inapplicable was the solitary "precedent" cited in support of the measure—a precedent, indeed, not only inapplicable, but actually telling against the measure in favour of which it was cited. He referred to the Act of the 23rd George III., providing for a special rate for the relief of local distress in Scotland. Let it be observed, the Act alluded to empowered the levying of the rate only in the districts distressed; in no other part of the country. He must remark that if, as the Government professed, the rate were to be levied only for two years, it was impossible, even if it produced the estimated amount of 200,000*l.* per annum, that it should realise the sum requisite to relieve the distressed unions from their embarrassments, viz., 600,000*l.* But, in truth, nothing like 200,000*l.* per annum would be realised by the rate. Indeed, it was apparent that neither argument nor estimate could be adduced in support of the measure, and that all the Government had thought of was this, and no more, that they could get no more money from Parliament, and must, therefore, raise it elsewhere. It was impossible to proceed with such a wretched system of expedients, providing nothing for the permanent improvement of the country. Again, it was quite clear that this rate in aid could not be available for immediate relief to those distressed unions—the immediate relief would have to be advanced from the Imperial Exchequer. And what security would the people of England have for the repayment of the money? If they were to judge by the unpopularity of this measure, and the manner in which it was received in Ireland, they would have to wait a pretty long time before it would be repaid by means of the rate in aid. There had been the grossest mismanagement and wasteful extravagance in past times in many of those distressed unions, for which the poor-law authorities must be held responsible; and had there been a better system of control and management adopted, very different results would have arisen. The Commissioners themselves were at last becoming conscious of this, and instances of reform and economy had taken place under an improved system of inspection. A Mr. D'Arcy had been appointed by the Commissioners to superintend the affairs of the union of Ballyshannon, and when that gentleman went there he found the union reduced to a state of insolvency through mismanagement. Its debt was 1,200*l.*, the furniture of the house was under an execution, and the local bank had refused to make any advances. By his judicious and intelligent management, however, Mr. D'Arcy has restored the solvency of the union, reduced the weekly cost of the paupers from 1*s.* 10*d.* to 10½*d.*, and lowered the amount of the rates. This was an illustration of the advantage of appointing a sensible man on the board of guardians, instead of superseding the legitimate guardians by paid officials. The poor-law in Ireland had not had fair play; those officers who had been appointed to carry it into operation, had not done their duty; and if the Commissioners had only appointed competent officers, such as Mr. D'Arcy, the substance of the ratepayers would never have been wasted in the manner it had, and the enormous number of the recipients of relief would have been greatly kept under. Mr. D'Arcy was afterwards removed to another insolvent union, which was considered a still more hopeless case than the former one; and the House might judge of the result when he compared the state of the union in the month of January, 1848, the year before Mr. D'Arcy was sent down, with its condition during the corresponding period of 1849, when Mr. D'Arcy was in the management. In January, 1849, the indoor paupers amounted to 11,478—and the outdoor to 13,625, making a total of nearly 25,000 receiving relief; and the expense for the month was only 1,117*l.*; whereas in the same month of the year preceding, the indoor inmates were 5,442 (there being no return of the number receiving outdoor relief), and the expenditure, although the relief was enormously augmented in the corresponding month of the following year, was beyond the expenditure of 1849, being no less than 1,820*l.* for one month alone. This would give an idea of what the mismanagement in these unions must have been, and account for a great deal of the distress that had occurred; and so long as the Government could make up the deficiencies arising from its own misconduct, by putting its hands into the pockets of the people of Ulster to better the position of the west and south, so long would no better system for the collection or administration of the funds under the poor-law be introduced. The principle of a maximum rate for Ireland was of the highest importance, because the fear of unlimited rates threw the land out of cultivation, the landlord or the occupier who had any money to expend thinking it better to keep it in his own pocket than allow it to be swallowed up by the rates. He should be happy to see such a plantation introduced into Connaught as the right hon. Member for Tamworth had recommended last night; but at the same time he must say that the project was fraught with great danger of the ruin of the present proprietary. Again, the object of those who might wish to carry out a plantation similar to that in Ulster in the province of Connaught, would be defeated by the imposition of these rates in aid, because nobody would think of buying the land, however good the bargain might appear to be, when he remembered that he might, at any future time, be subjected to the same kind of burden as they were now about to impose upon the prudent and active landowners of Ulster to support the improvidence and negligence of proprietors in the west and the south. There was another element in the success of the Ulster plantation, which he would not say was its sole cause, but it was a very great one, and that was the religious element—and whoever would wish to see that plantation similarly thriving would do well to follow the example of Ulster in that respect. The right hon. Baronet the Member for Tamworth, as a reason why the people of Ulster should submit to this sixpenny rate, had urged that 1,200,000*l.* had been advanced from the Consolidated Fund for the erection of workhouses in Ireland. Why, it had been regularly settled at the time the advances were made, that the money should be repaid by instalments. Many places had regularly and punctually fulfilled their engagements; and were those parties who had paid their instalments of the advance, to be compelled to pay this rate in aid because other districts had not repaid their instalments? Would there be any justice in that? Then, again, those districts that had not repaid their share of the advance, were either unable to do so, or if they were all able to pay, his answer was, "Enforce the payment of the money, and don't make its non-payment a pretext for imposing this rate in aid, which, besides, would fall as heavily upon those who had honourably paid their debts, as it would upon those who either would not or could not pay." And as for those unions that could not pay this lawful debt by reason of their straitened circumstances, it was perfectly ridiculous to suppose that they could bear this additional burden of a sixpenny rate. Allusion had been made to the advances given for the erection of the poor-houses in Ireland. Now with regard to these advances, it had been originally settled that the money should be repaid by instalments; now if it had not been so repaid by some places, it was the result of inability, and in others the fault lay in the negligence of those who ought to collect it. His hon. Friend the Member for Northamptonshire had alluded to the subject of an enlargement of the area of taxation. The noble Lord had also touched on the same subject, but in a most superficial manner. They would not object to an arrangement of area on the principle of a certain amount of rental in particular localities; but adopting a system of townland valuation was unjust, because of the unequal size of those different townlands in Ireland. He believed that no plan that could possibly be adopted would so effectually call out the resources of Ireland as a limitation of the area of taxation, for it would most strongly appeal to that feeling of self-interest which was the predominant principle in man's nature. He felt persuaded that without that plan the state of that country could never be better than it was at present. The question of emigration had also been referred to; and partial emigration very possibly was necessary to put the machine in working order, but he did not believe that that emigration should be very extensive. Some partial emigration might be necessary, but only from those districts where distress prevailed. In other parts of Ireland encouragement should be given to agriculture, and measures adopted for the development of the resources of the country; and the labouring population in those ports of the country would, he thought, prove to be under, rather than over, the necessary supply. It was for the House to consider whether, taking things as they stood, it should not pause before it imposed by its vote such a tax as that proposed on the reluctant people of Ireland. The city of Dublin, for instance, had no more connexion with Galway and Mayo, and those other distressed districts, than with any distress that might exist in France; but though the people of Dublin had neither any connexion with those places, or any control in the management of property in the west of Ireland, they were called upon to contribute to this rate in aid to the extent of 16,000*l.* or 17,000*l.* There was another reason for objection to the proposition, and it was this: that they proposed to charge the north and east of Ireland with this rate in aid, though they had not proved to the House that they had exhausted all the resources of the west. He would remind the House that at this very time, when they were called upon to agree to this proposition, it appeared from the papers that in the archdiocese of Tuam, the day was fixed for a general contribution to be made in aid of the papal sovereign. The same announcement was made with regard to the Roman Catholic archdiocese of Cashel;

and when those people were able to contribute to a fund in aid of a foreign prince, it was no reason why persons in another part of Ireland were to contribute to a fund for their aid. He had heard an able and talented divine, who participated in the political sentiments of the noble Lord opposite, and whose opinion, therefore, might have greater weight with Her Majesty's Government, say that the proposition to maintain the ablebodied poor was like feeding a starving dog with a portion of his own tail. They were all distressed in Ireland, and were with difficulty able to maintain their position for the last three years.

Mr. CALLAGHAN said, he readily acquitted the Government of the charge which some hon. Members had brought against them, of an intention to ruin the proprietorial class. He had listened with great attention to the statement of the noble Premier, but it had failed to convince him that the proposed rate in aid was the proper method of alleviating the distress. He should have been ready to consent to a general rate on all the property in the kingdom for that purpose. When the union workhouse at Cork was provided, it was thought sufficient to make accommodation for 2,000 paupers; but there was now a demand for accommodation for 7,000; a striking proof that the administration of the poor-law was not placed on a proper footing. From the passing of the Irish poor-law to the present moment, the greatest dissatisfaction had existed. He had done his utmost to allay this discontent, and to ensure the proper administration of the law. He had counselled those who were dissatisfied to lay their grievances plainly in petitions before the House, and not to rely on the recommendations of any Parliamentary Committee, which might sit the whole Session without leading to any good result. In imposing this rate in aid, he thought the annuitants were a class who might very properly have been called on to contribute: he hoped this point would not escape the attention of the Committee now sitting. The noble Lord at the head of the Government had admitted that this was a burden which might very properly be borne by the empire at large, provided all classes were equally subjected to taxation. It was true Ireland was exempt from the income and assessed taxes; but did any one believe that Ministers would not have imposed these taxes upon Ireland, had there been any chance of their being collected? This being so, the exemption ought not now to be made a pretext for imposing a peculiar burden on the people of Ireland. Attacks were constantly made, both in that House and by the press, against the landlords of Ireland; but many false charges were brought against them. It was said they were unwilling to employ or support the poor on their estates. This was not so. Nearly all the landlords in the south of Ireland, in his neighbourhood, had granted leases for three lives of their lands; consequently it was not they, but the farmers, who should be looked to to employ the labourers. It was not his duty to propose any substitute for the rate in aid; but it was the bounden duty of the Government to take care that the people should not starve. During the period that he had a seat in the House, he remarked that every Government was willing enough to screw up the taxation of Ireland to the level of England. It was not from any love of Ireland that they did not so tax her. But now it seemed they were to be taxed, when the country was in a state of wretchedness that it never was in before. He could not help feeling that a great deal of the misery and destitution of Ireland was to be attributed to the Government of this country. The right hon. Baronet the Member for Tamworth had quoted a song written in the period of 1798. He would now quote from another composed in the year 1782, which was not inappropriate to the condition of Ireland:—

> "Fruitful our soil, where honest men starve,
> Empty the mart and shipless the bay;
> Out of our wants the oligarchs carve,
> Foreigners fatten on our decay.
> Disunited,
> Therefore blighted,
> Ruined and rent by Englishmen's sway."

He did not, however, join in the sentiment expressed in the last line. There was a very general feeling that Ireland was overborne and ruined by this country, and therefore it was the more necessary that this country should be cautious how it increased that feeling.

Mr. M. J. O'CONNELL said, he felt a difficulty as to the course which he ought to pursue on the present occasion. He did not altogether approve the wording of the Amendment of the hon. and gallant Member for Longford; but, having to choose between it and the proposition of the Government, he felt that he must support that Amendment; not, however, on the ground put forward by Gentlemen from the north of Ireland, that it would be unjust to call on the other parts of Ireland to support the more distressed districts, but on the principle that it was fairer that any contributions in aid should be levied on property in general, rather than on that class of property which was now peculiarly subject to the poor-rate. He had rather that the hon. and gallant Member for Longford had fixed on a lower figure than 150*l*. a year for assessment, and that he had proposed to put the tax on fixed incomes rather than on trades and professions. With regard to the general rating for the poor, he felt quite sure that fixed property—real property in land—was the only feasible source of taxation. He was opposed to a general rating on account of the poor, because he was sure the funds would not be properly administered by local boards. The administration of the money by local boards would be abused unless controlled by a sense of local and fiscal responsibility. The noble Lord at the head of the Government made a distinction between property charged with mortgages and annuities, and property liable to family incumbrances. He confessed he could see no difference between them, although there was a great difference as to the power which Parliament possessed over them. Whether the one was to be made liable to the tax, and the other to escape, was therefore more a question of power than of right. He would vote for the Amendment, in preference to the proposition of the Government; but, supposing the Amendment to be lost, then came the question of the Government by itself. Was he, because he could not get that species of contributions in aid which was most just, to reject that which was offered? Having considered the question free from party bias, he felt bound to take the alternative, and to support the proposition of the Government, liable though it was to considerable exception. The Members of the north of Ireland, if consistent in resisting the proposition, were too late by two years, because they made no objection in 1847, when contributions were raised from imperial sources, to which they, of course, contributed. If the late Member for Bath (Mr. Roebuck) were now in Parliament, he would have hailed the Members from Ulster and Leinster as converts to his doctrine, which was, that one part of the empire should not support the poverty of the other. Hon. Gentlemen said, they would support this rate in aid, if the present poor-law were amended, and the area of taxation settled. These could hardly be considered objections, because, whether the poor-law was amended or not, the destitution would go on; no arrangement of the area of taxation would cure the existing evils in a moment. Hon. Gentlemen wished to have the area of taxation diminished, and said they would support their own poor. Who were their own poor? How could any one say you are one of my poor? Heaven save them, at least, from a property in poverty! The diminution of the area of taxation, and the support of one's own poor, were spoken of as if the things were identical. But they were perfectly different. Hon. Gentlemen said, they would support their own poor, and at the same time they invoked the English system. But it was a part of the English system that one man was sometimes called to pay for the support of the poor from his neighbour's property. He admitted that the area was more reasonable in England, and that the electoral divisions in Ireland were much too large. The only objection to the diminution of their size was one which he had not heard yet, namely, how they could combine representation with the area. If one member of the board of guardians was to represent two or more rated districts, he would be placed in a most unenviable position, and one of the annoyances which he believed few would like to be subject to. With regard to the suggestions of the right hon. Baronet the Member for Tamworth, it was somewhat surprising to see so cautious a Member as he was, depart from his usual reserve, and give his opinion unasked on so important a subject as the present condition of Ireland. He did not join with those who thought that the right hon. Baronet had any sinister motives in volunteering his suggestions. He was sorry the hon. Member for Cork had referred to the plantation of Ulster in the terms he did, because, whatever motives characterised that proceeding, it was a benefit to Ireland, as was the Cromwellian settlement, accompanied though it was with many things which could not be justified. He looked upon it as a source of great benefit. He did not look to the motives of the settlement. But before that period they heard nothing of Irish trade, or any attempts to improve agriculture. [Mr. FRENCH: Yes, yes!] They never saw before that period what they saw twenty years afterwards—the grazing interest of Ireland rising to such prosperity as to excite a cry in this country for the exclusion of Irish cattle from English ports; and in ten years afterwards they beheld the manufacturing interests of this country demanding the suppression of the Irish woollen trade. These were unpleasant retrospects; but he did not think it could be doubted that the facts to which he alluded, in whatever motives they originated, and attended, as they always were, with cruelty to the natives, resulted in improvements, in spite of the atrocities which attended them. Great advantage would be derived from the infusion of fresh capital and blood into the country. He was not insensible to the value of a careful and intelligent expenditure of public money in Ireland; but he felt that one pound spent by a capitalist for his own benefit would be more valuable than two pounds of the public money, and tenfold more valuable than the same amount spent in eleemosynary aid. He thought the right hon. Baronet the Member for Tamworth deserved the thanks of Ireland for his bold suggestion; and he hoped it would be taken up by the public mind of his country in the same spirit in which he sincerely believed it was proposed. He did not think the right hon. Gentleman ever made a more useful suggestion, or one that was more likely to result in benefit to the country. He thought the reference that had been made to religious exclusion was quite unnecessary at the time; but the observations of the hon. Member for Dublin proved that it was by no means unnecessary, for it appeared there were persons still walking on two legs, and with eyes open, who conceived that in the nineteenth century it would be possible to introduce either English or Scotch capital into the country, to be checked and embarrassed in all its operations by the perpetuation of religious distinctions. He did not think that the suggestion of the right hon. Baronet was made with a view to party triumph, or as a bid for power; but from the far higher object of doing a benefit to his fellow-countrymen and fellow-subjects; and if carried out by Government in the same spirit in which it was proposed, it would entitle him indeed to be considered a real benefactor to Ireland.

CAPTAIN JONES was one of those who were always desirous of supporting the Irish poor-law. At the same time he thought the bounden duty of the Government in the first instance was, to compel those parties who had not paid their rates, but who were able to do so, to contribute to the relief of the poor. That was the only way in which the law could be properly and fairly carried out. It appeared to him that the proposition of the Government was altogether insufficient. It was expected that the rate in aid would produce 250,000*l.* His belief was (and he had some knowledge of Ireland), that they could not collect it. The noble Premier had suggested that in Ireland no assessed taxes were paid; but the noble Lord well knew that if assessed taxes were levied in Ireland, the expense of collection would far exceed any amount which could be realised. Again, the noble Lord said, that as the landlords in Ireland had not to pay any income tax, they ought not to object to the sixpenny rate. But upon whom would such a tax fall? Why, upon those who under no circumstances whatever could pay an income tax. He believed his right hon. Friend the Secretary for Ireland had heard that many magistrates had declared they would throw up their commissions. And why had such a determination been expressed? Because many of them felt that if the payment of this rate was enforced, they would not be made the responsible parties for enforcing it, and the consequences that must necessarily follow. Among other remedies which had been suggested for the amelioration of the present distressed state of Ireland, there was that of the cultivation of waste lands; but he would warn the Government how they interfered on that subject. With reference to this sixpenny rate, if an attempt was made to collect it, such a proceeding would endanger the whole system of the poor-law. Was it to be levied as a distinct rate? Would collectors be sent round to collect it as a distinct rate? But why were they called upon to pay this sixpenny rate? He would ask, had those districts endeavoured to support themselves and their poor? He wanted to know whether their lands were in cultivation? He knew that in the north of Ireland they cultivated, and that the people subsisted on a more expensive food than in the south. The rates there, it was true, were large enough; but they were quite within the reach of those who had to pay them; and the last time that he heard of the union workhouse in his part of the country, it was not full, yet they had suffered as much in respect to the failure of the potato crop as any other part of Ireland. In the north they had a worse climate and soil than in other parts, and yet they managed to support their poor. His opinion was, that if the people of Ireland had cultivated their lands instead of throwing them out of cultivation, they could have supported their poor, and they ought to have done it. The land of Ireland, if cultivated, was more than sufficient to support the people. Then as to the Poor Law Commission, he was sorry to say there had been proceedings, as he believed, directly instigated by the Poor Law Commissioners in certain cases. He alluded to those of the appeals made to the quarter-sessions by the Earl of Lucan, the Marquess of Sligo, and the Marquess of Westmeath—all in the county of Cavan. Those appeals had been made, and successfully made, because the parties had been charged rates with which they had not been charged before; and it seemed to him that proper information was not given to the ratepayers by those who collected them. The collectors gave pieces of paper into the hands of the ratepayers, and gave no information when they were asked the meaning of an assessment under certain numbers. The only answer was, you are charged for Nos. 2 or 5, 7 or 8. The noble Lords he had referred to obtained verdicts, and thus a great expense was thrown on the union; and it turned out that demands had been made out which ought never to have been paid. It seemed to him that every possible technical objection was thrown in the way of those who appealed, at the suggestion of the Poor Law Commissioners. He was satisfied that if this rate were collected, it could not be productive until after the next harvest. With regard to the income tax, he had heard statements made in that House in which he could not agree. If it was thought that Ireland did not bear her fair share of taxation, let her do so, and let the proceeds go in to the national Exchequer. It had been complained that money which had been advanced to relieve Ireland, had not been repaid; and to this charge he was sorry to say he must plead guilty. He regretted that such should be the case; but he would tell the House this, that if they suffered the time to pass when money ought to be paid in Ireland, they never would get it. To the present proposition of the Government, he felt himself bound in duty to offer a strenuous opposition.

MR. F. FRENCH thought that the proposed rate was objectionable in principle and insufficient in amount, and that it would be attended with consequences which would be most disastrous, not only to Ireland, but eventually to this country. If the House could be prevailed upon to deal with Ireland in the same spirit and in the same manner in which they had dealt with the agricultural and commercial interests of England, or even in the same spirit as that in which the Governments of Holland and Prussia had dealt with their respective subjects, Ireland would not require any such expedient as a rate in aid. The great want of Ireland was want of employment. That supplied, she possessed within herself those elements of prosperity which would be sure to conduct her to comfort and affluence. Ireland was the great difficulty of England, and the stumbling-block of successive Ministries, because the fatal policy had been continually resorted to of prescribing political stimulants as a remedy for social evils. He admonished the present Ministry to take warning by the fate of their predecessors, and at once to introduce measures to develop the resources of Ireland, and give an impetus to the industry of her people. There never was a more favourable period for introducing such measures than the present, for agitation and rebellion were at an end, and there was complete security for life and property all over the island. Registration Bills, Grand Jury Bills, and modifications of the poor-law, would be of little avail. Remedial measures of a comprehensive character ought to be introduced, and the industry of the people should be zealously stimulated. The grant of 50,000*l.* and the sixpenny rate in aid, which, at the risk of a rebellion in Ulster, might possibly produce 200,000*l.*, would do no more than keep the people alive for nine or ten weeks longer. As a matter of relief it was valueless—as a precedent it was dangerous in the extreme. The Government, in adopting such an expedient, were pursuing a course similar to that of the old woman who, wanting to cook a hen, and having been given a faggot wherewith to make a fire, burnt one stick after another, and when the last was gone, found her hen as raw as ever; and such would be the case in Ireland when grant and rate in aid shall be expended. Every one admitted that the want of capital was the chief evil under which Ireland laboured; that want of capital was not to be attributed to any want of industry on the part of the people; it was much more to be attributed to the acts of legislation which passed that and the other House of Parliament. The chief trade of Ireland once consisted in the export of cattle; of that she had been deprived by the unjust laws of England. In the middle of the last century Ireland had no debt, and it was nothing but the ill-considered legislation of this country which imposed upon her the burden of pecuniary obligations. At the revolution of 1688 Ireland had a surplus of income over expenditure of 70,800*l.* a year, which afterwards increased to half a million a year; the balance of trade was between 600,000*l.* and 700,000*l.* a year in her favour. In complaining of the injurious effects of English legislation, he was not stating any views of his own, but was proceeding on the authority of Young, and many earlier writers, as well as on that of Pitt, Grenville, and Huskisson. In 1776, Arthur Young writes—

> "British legislation on all occasions controlled Irish commerce with a very high hand, universally on the principle of monoply, as if the poverty of Ireland were her wealth."

In 1785, Mr. Pitt declared the system had been to debar Ireland from the use of her own resources, and make her subservient to the interests and opulence of the English people—to suspend in that country the industry and enterprise of man. Mr. Grenville said, that if Ireland did not give her due proportion of assistance to England, it was on account of a barbarous and absurd policy, which debarred her from these advantages that God and nature had given her. In the debates of 1799 he found all the enlightened statesmen admitting that from the narrow policy of Great Britain, the prosperity of Ireland had never been looked on as that of the empire at large. At a much later period Mr. Huskisson stated that the supposed interests of England held in the most rigid subserviency the agriculture, internal industry, manufactures, commerce, and navigation of Ireland. Let them see how those opinions were borne out. On the 9th June, 1698, both Houses of Parliament addressed King William. The Lords, in their Address, stated—

> "That the growing manufacture of cloth in Ireland, from the cheapness of all sorts of necessaries of life, as well as the goodness of material for making all manner of cloth, doth invite your subjects of England, with their families and servants, to leave their habitations, and settle there, to the increase of the woollen manufacture in Ireland, which makes your loyal subjects here very apprehensive that the further growth of it may greatly prejudice the said manufacture here, by which the trade of this nation, and the value of lands, will greatly decrease — wherefore we humbly beseech Your Majesty in the most public and effectual way to declare to your subjects in Ireland, that the growth and increase of the woollen manufacture there hath long and ever will be looked on by your subjects here with great jealousy; and, if not timely remedied, may occasion very strict laws, totally to suppress and prohibit the same."

The Commons' Address was—

> "That being very sensible the wealth and power of the kingdom do in a great measure depend on the preservation of the woollen manufacture, as much as possible, entire to this realm, think it becomes us, like our ancestors, to be jealous of the increase and establishment of it elsewhere, and to use our utmost endeavour to prevent it: we do therefore implore Your Majesty's protection and favour in this matter, that you will make it your royal care, and enjoin all you employ in Ireland to use their utmost diligence to hinder the exportation of wool from Ireland, except for importation here, and to discourage the woollen manufacture."

The following was the King's answer:—

> "I shall do all that in me lies to discourage the woollen manufacture in Ireland."

10 and 11 William III., c. 10, prohibits the exportation of wool or woollen manufacture from Ireland to the British colonies, under a penalty of 500*l.* for each offence. In the linen trade, which the Parliament of England pledged itself to foster and encourage, as better suited to Ireland than the woollen manufacture, they fared little better, as the 10th Anne, chap. 19, excluded all Irish linens, painted, striped, chequered, printed, stained, or dyed; and, in 1756, a heavy duty was placed on the import of sailcloth made of Irish hemp, thereby throwing this trade into the hands of the Russians and Dutch. It would not be necessary for him to dwell on their thirty embargoes, or the disastrous effects of the penal code. He had stated sufficient to show that the want of capital in Ireland was not fairly attributable to the absence of industry or energy amongst her people. He asked the House to deal with his unfortunate country as they were accustomed to deal with large interests in England, when labouring under temporary embarrassment. Many instances of commercial, agricultural, and colonial difficulty might be cited which were promptly and effectually relieved. He would call their attention to a few of them. In 1811, by the 51st George III., chap. 15, 6,000,000*l.* of Exchequer-bills were issued, to be advanced for the assistance of British merchants, bankers, and traders, upon deposit of merchandise or other securities. By the 33rd Clause, advances might be made on the security of real estates in Scotland; and by the 36th Clause, power was given

to the Scotch bankers to borrow. The 6th George IV., cap. 94, authorised the Bank of England to make advances to merchants and traders on bills of lading, Indian warrants, dock warrants, warehouse-keepers' certificates, wharfingers' certificates, &c. &c. In 1832, Exchequer-bills to the amount of one million were advanced to owners of estates in Jamaica, Barbadoes, St. Vincent, St. Lucia, and Dominica, which had been injured by hurricanes, to enable such persons to resume the cultivation of such estates. If some similar steps were not taken by Her Majesty's Government to establish confidence, and insure the cultivation of those vast tracts of land now lying waste in Connaught and Munster, there would be a deficiency of food raised in these districts from what would be raised under ordinary circumstances, to the value, at least, of 2,500,000*l.* Of what value, he would ask, would their 200,000*l.* rate in aid be to meet a contingency such as this? As to the manner they had acted with regard to their own agricultural interest, he found, at a period of great distress, in 1822, Viscount Castlereagh stated that Government were prepared to issue Exchequer-bills to the amount of 4,000,000*l.* for the relief of agricultural distress, to the parishes which required it in England. In 1823, the Bank of England were induced to lend money at 4 per cent to the landed proprietors in England; the effect of this was so general, and so efficacious, that the Bank was not called on to advance the sum originally contemplated by them, individuals and public bodies coming forward and offering the money at lower terms than 4 per cent. Mr. Huskisson, who was originally opposed to this course, declared there never was a measure that succeeded better, or conferred greater benefit on the public. Why should not the Government take steps to induce the Bank of Ireland to adopt a similar course? Mr. Freshfield, Solicitor to the Bank of England, in a letter addressed to the late Colonel Conolly, Member for Donegal, decribed the arrangement made by the directors for relieving the landed interest as most advantageous. These regulations were framed to afford accommodation to borrowers in a manner the least expensive. He added—

> " Applications were made to the Bank for loans to a considerable extent, and great expedition was used in completing the securities, but so entirely were the anticipations of the benefit of the measure realised, that the Bank did not advance to the extent originally contemplated; but the example being established, and the pressure of the demand for loans removed, other capitalists became competitors, and mortgages taken by the Bank at 4 per cent interest were paid off by those capitalists by means of their advances at a lower rate of interest. The object of the Bank was accomplished. They never sought the measure as a profitable mode of investment, and they were well satisfied to find the landowner relieved, and to believe that the pressure would not return at any early period. The benefit experienced in England led to frequent inquiries by Irish landholders to know whether similar advances would be made upon Irish security to promote improvements upon property and to pay off encumbrances; but after consideration the directors were advised that, looking to the date of the Act under which they derived their power, it was at least doubtful that they could make advances on mortgage in Ireland, and the directors also considered that the existence of a national bank in Ireland relieved them from any such duty of interference as they had felt obligatory upon them in England."

Mr. Freshfield was of opinion that Ireland suffered much from the want of such a measure as the Bank of England adopted in 1823; and if an example equally liberal were made, the effect would be equally successful, and numerous capitalists, he thought, would be ready to invest largely from the moment it was found that Irish security obtained its due weight and consideration in the opinion of monied men. Now, he (Mr. French) was aware that on the abstract principle there was an objection to the Bank advancing money on security not immediately available; but under the peculiar circumstances of the country there should be a deviation from that principle. The Chancellor of the Exchequer, too, might remember that for five years the Bank of England advanced 350,000*l.* on the security of the Woods and Forests for the improvement of the streets of London. How had Prussia treated her landed proprietors in the difficulties that arose in 1772? The owners of estates were to hypothecate them to a joint-stock bank, receiving one-half, or two-thirds of the value, which was to be ascertained by an official valuator in notes of not less than 75*l.* each; for this they were to pay interest at the rate of 5 per cent. In the event of any irregularity in the payment of interest, the estates were to be forthwith sold. The experiment was eminently successful, and the Bank was in a short time so flourishing as to be able to reduce its rate of interest to 4 per cent. In 1807, it had advanced 8,000,000*l.* sterling. In 1837, they had advanced 12,000,000*l.*, and were enabled to reduce their interest to 3½ per cent. The Bank charged one per cent more interest than the notes bore, which, after defraying the cost of management, was to be applied to the redemption of the estates. Either the Government, or the Bank of Prussia might convert those notes into cash, but this they were not called on to do; in a short time about three-fifths of them found their way into the hands of capitalists, or the coffers of public institutions, or charitable bodies, the remaining two-fifths serving as a very popular paper currency. Notwithstanding the reduction of interest, these securities have been higher, and subject to less fluctuations in the European market, than that of almost any State securities: 1st May, 1847—Prussian State debt, 3½ per cent, 93—W. Prussian Plandbriefe, 3½ per cent, 92¾—Posen, 4 per cent, 101—E. Prussian, 3¼ per cent, 96—Pomeranian, 3½ per cent, 94—Silesian, 3½ per cent, 96¾. Why should not this example be followed? To show the condition of Ireland, and the necessity for Government interference, he would mention a case:—A friend of his, a gentleman possessing an estate worth 4,000*l.* a year, owing no money, perfectly unencumbered, 3,500*l.* a year of which was in settlement, had one portion of it let to tenants amounting to about 1,500*l.* per annum; they left the land on his hands, and went off to America; he saw clearly enough that there would be no use in reletting it, as in all probability the same course would be resorted to by the new tenantry; he, therefore, resolved to take the land into his own hands, and expended a considerable sum of money in laying it down. He required 3,000*l.* to stock it; but none in this country, though money can be had at 1 and 2 per cent, would lend a shilling on the security of Irish property. Surely that was a case for Government aid; and he would ask, why should it be refused to Ireland? The advances of money made to Ireland since the Union had often been alluded to in that House. The amount of these advances was 9,000,000*l.*, of which 7,000,000*l.* had been repaid; whilst during the same period, 18,000,000*l.* had been lent to England and Scotland, of which but six millions only had been repaid; and he thought, therefore, there was no very strong ground for complaint against Ireland on this subject. Though he did not wish to disparage what had been done by the British Government for Ireland, he must say that they had done little compared with what had been done by other Governments for their several States. What had the British Government done that could be compared with the system of railways that had been undertaken by nearly all the Continental Governments; or with the extensive drainages, and other public works, carried out by the Government of Holland? To give the House some idea of the magnitude of these works, he would allude to two—the drainage of the Quid Plaas, and that of the Harlaem Meer: the former of these was undertaken by the Government in 1838; the main depth of the water to be pumped out was nearly fourteen feet; its level, eight two-fifths feet below that of high water in the Yssell. To this latter level the whole was raised into a basin, that it might flow away as the water of the river fell. After all the water was pumped out, the superfluous rain or ooze water continues to be raised to a level of upwards of twenty-two feet: this work has for some time been finished, and the reclaimed land sold to private individuals. The Harlaem Meer, which covers an area of seventy square miles, was commenced to be drained by the Government in the year 1840, at a cost of three millions sterling: it is just completed; and there is every probability for supposing that the next thing they will turn their attention to will be the draining of the Zuyder Zee, the estimated cost of which is five millions sterling. A year or two ago the British Government were asked to guarantee a certain per centage upon Irish railways, with a view to the investment of capital in these undertakings: they refused to comply with that request; but the principle has been conceded to Canada, to the West Indies, to the Mauritius, and to other British dependencies. To the St. Andrew and Quebec Railway company, after the opening of the first section of the line, which was expected to take place in the latter part of the present year, a minimum dividend of 6 per cent was guaranteed by an Act of the Legislature of New Brunswick, sanctioned by Her Majesty in Council, which directs for twenty-five years the necessary sum shall be paid out of the public revenue of the province. The East India Company guarantee, as a minimum dividend, 6 per cent to the Great Indian Peninsular railway company. In the West Indies and the Mauritius, 11 and 12 Victoria, c. 130, authorises Her Majesty to guarantee the interest of four per cent, or any loans to a limited extent, for the formation of railways. In New South Wales, the Legislative Council at Sidney resolved, unanimously, that, to secure the construction of railways, it was expedient that Government and the Legislature should hold out some peculiar inducement, and that, in addition to a free grant of the land necessary, a guarantee, for a limited number of years, of 6 per cent be given. He did not ask the House to assist Ireland by votes of public money; for he believed, if that country were fairly treated, her resources were not only sufficient for the support of the people, but to raise her to a level in point of prosperity to England; he did consider it necessary, however, that funds should be provided for the development of those resources; he would raise them by taxation on Irish property, imposed on them on the principle of the income tax. This would give, as a fund, about a million annually; 500,000*l.* of which would be more than sufficient for the relief of the poor under a proper system, when the workhouses were made, in food, self-supporting, and outdoor relief, as it must be, abolished; on the remaining 500,000*l.* a year, a sum amounting to ten millions might be raised, from which the necessary advances to secure the employment of the ablebodied, by the landed proprietors and tenant farmers, might be made. A complete system of railway communication was necessary for the country; by advances from this fund it would be obtained; from this fund means could be afforded of carrying out arterial drainage in a proper way; the arterial drainage was now carried on under great disadvantages, and every undertaking of the kind cost the landed proprietors one-third more than was necessary for the efficient performance of the work. Emigration, to a limited extent, in those spots where a congestion of population has taken place, could be encouraged. He would also recommend that facilities should be provided for the sale of encumbered estates, when the proprietors were unable to hold them; but, he thought, where there was a probability that the owners might be enabled to retain their property, assistance should be liberally afforded them. He did not solicit the assistance of that House in the shape of a rate, not as a matter of eleemosynary bounty; the resources of Ireland were fully adequate to meet her difficulties; and all he wanted of the Government was, that they should assist in the development of these resources. The only statesmanlike schemes that had of late years been projected for the benefit of Ireland, originated at the protectionist side of the House; and the most meritorious amongstt hem was that which had been brought forward by the noble Lord—now, unfortunately, no more — who represented Lynn in the last Session of Parliament. Having the greatest confidence in the ability and good intentions towards Ireland of his noble Friend at the head of the Government, he implored him at once to adopt an enlightened and liberal policy in his management of that country; there was a prestige in favour of his name and of his principles, which, he trusted, he would not disappoint. This was the crisis of the fate of Ireland. If the present system were continued, the ruin of that country would be inevitable; if it were changed, and a wise one substituted, its regeneration would be the result.

Mr. CONOLLY had some diffidence in addressing the House on this, his first occasion; but the circumstances of the case before them were so peculiar and so important, that he felt he should not be doing his duty to his constituents, or to himself as a landed proprietor, did he not stand up and give the measure under consideration his most strenuous and determined opposition. He considered the measure unfair, unjust, impolitic, and calculated to produce the worst results. He could very well understand the hon. Members opposite looking on this as a partial question, as a rate in aid, and as a mere temporary expedient. But to him and those who sat near him it bore a widely different character. They, looking at the whole circumstances of the country, contemplated what its fatal results might be, and looked upon it as involving the most dangerous consequences —no less than the revulsion of the whole groundwork of society—no less than the ruin of the country at large. The measure was encumbered with an illusion which he would endeavour to dispel. Now, when they were called upon to vote a rate in aid, they ought to consider the present state of the unions in Ireland. The number of unions was 131, of which twenty were in a state of bankruptcy, and ten more, if not in a state of actual bankruptcy, were in a state of severe destitution, and totally unable to assist any others. He came then to the 100 unions remaining, which were all that could be looked to as able to afford assistance to the other unions. Out of those 100 unions there were forty unions which were burdened with a heavy debt, and which it would be monstrous to ask to pay the debts incurred by others before they had liquidated their own. He then came to the question, upon how many unions in Ireland was this rate in aid—assuming that it was the justest proposition that ever emanated from the Treasury bench—on how many unions could the rate be levied? He found there were only fifty or sixty unions on which the rate could be levied—he would not say in fairness or justice—but who were in a situation to pay. Now, if he was borne out in this statement by the facts of the case, how could the noble Lord and the right hon. Gentleman the Secretary for the Home Department come down to that House and propose a measure for a rate in aid to be levied, as they said, on all the unions in Ireland? There were only fifty or sixty unions utterly free from debt. Surely, then, it was but proper, if these were facts, that the Government should become cognisant of them, so that they might not be guilty of the unfairness of coming down to propose a rate to be levied on all the unions in Ireland, which would only fall on a few. If the produce of the rate had been calculated as the result of taxation on the whole of the unions, and not on the well-situated unions only, the question naturally arose, how was the deficiency to be made up? The result must be made up by an increased rate on those unions which could pay. This rate in aid had no meaning unless it was to be effective to meet the destitution and starvation which prevailed. This rate, then, could only be made effective in one of two ways; either by applying to England for assistance out of her large resources, which he was not prepared for, or to make another rate on solvent Irish unions to meet the deficiency. If this were so, how were Government to raise the sum of money which they calculated would be obtained by the rate, seeing there were only fifty or sixty unions on which the rate could be levied? He pronounced it a delusion and a farce on the face of the noble Lord's proposition, to state that the rate in aid was to be levied on all the unions in Ireland. The fact was, the rate was to be levied on the unions of Ulster and Leinster, to meet the destitution of Munster and Connaught. It was, therefore, a delusion to say it was a rate to be levied on the whole of the Irish unions. The noble Lord had proposed that the rate should last only two years, and the noble Lord said there were circumstances which led him to suppose that, by the time the rate had expired, circumstances would have arisen to render its further continuance unnecessary. Without attempting for a moment to place his judgment in opposition to the noble Lord's, still he must be permitted to allow what he had seen with his own eyes to have weight enough to prevent him from giving in his adhesion to the sentiments expressed by the noble Lord. He did not think, unless very extraordinary means were taken, that the destitution which now prevailed, and which all deplored, though hon. Members on the other side assumed more credit for humanity to themselves than they conceded to hon. Members on his side of the House, would be terminated in two years. It was impossible to say that the existing distress would be terminated in the short space of two years, unless Government were prepared to come forward with large, and, to use the hackneyed expression, comprehensive measures. Unless Government did this, there were no means under the canopy of heaven by which the evil could be met and mitigated. The noble Lord had given as his reason for believing that the existing distress in the 20 bankrupt unions would be at an end in two years, that—

> "There is no reason that I know why that distress should continue for many years longer. My expectation is, that one of two things must infallibly happen, either you will find that by a return of good and plentiful harvests there will be sufficient food and employment for the people in the districts in question, and there will be such change of culture, and such an application of capital in those districts, that the people will be placed in a state of comparative comfort, and then you will be relieved from the burden in that manner; or else you will find that the people, perceiving that they have no prospect of a restoration of the food on which they depended, will emigrate to other districts—will emigrate to the more favoured parts of Ireland—will emigrate to Scotland—will emigrate to England, or to our North American and Australian colonies, or to the United States of America."

Now, he believed that neither cultivation of the land, good harvests, nor emigration would get rid of the evils in two years. As to the better cultivation of the land, that required more capital, which the farmers did not possess; and as to emigration, there were no sufficient means at hand. There was another point which had been urged by the right hon. Baronet the Member for Tamworth, namely, the expediency of changing the landed proprietary. But he feared it would be useless to look for a remedy from existing evils in the proposition for changing land into hands more capable of performing the proper functions of landed proprietors. If they were to rely on this as their only chance of doing effectual good, a necessity would arise to which he could not allude without great pain—that the landowners would be obliged to give up their estates to the State. He would ask the Government, he would ask hon. Members sitting on both sides of the House, whether it was likely that any men would part with their estates, to which they were endeared by every tie of humanity, when the fatal necessity arrived, without clinging to every straw, and fighting to the last to keep their property? There would be a dire and desperate struggle; and it was not likely that a rate in aid for two years would settle it, for this reason—there was a great and intolerable delusion palmed on the House and on the country in the form in which that rate had been brought forward. He now came to the main point—for he contended that, as we started on a false basis, so we never could arrive at a correct conclusion—that a rate in aid was unfair and unjust. He would leave other hon. Members to say how far the rate was unfair and unjust in the localities they represented. For himself, with his limited experience, he would confine his remarks to the county which he had the honour to represent. With respect to that county, he repeated, that the tax now sought to be imposed was wholly unjust and unfair. He would prove this by stating the comparative valuation of the county which he represented, with one of those counties which stood pre-eminent in that catalogue of distressed counties through which the rate in aid had been imposed on Ireland. He would compare Donegal, which he represented, with Clare; and he would show that, while Clare was more favourably situated, in most respects, than Donegal, that Clare required the assistance of a rate in aid, while Donegal did not. The valuation for Clare was 310,309*l.*: for Donegal, 276,884*l.*; so that the valuation was in favour of Clare by the sum of 24,452*l.* The population of Clare was 286,394; of Donegal, 296,448; so that Clare had a larger valuation than Donegal, and a less population by 10,054 persons. What reason, what justice, then, could there be in imposing a rate on Donegal to assist the destitution, the mismanagement, and the financial embarrassments of Clare? On every principle of justice he opposed the rate; and he would further proceed to show, that the rate was impolitic, under the present circumstances of the country, as it was unfair and unjust. The country was just rising out of difficulties created by the most unparalleled calamity that ever afflicted any country. At such a time was it proper to come forward to impose a tax which would have the effect of stopping the growing energies, of shackling the spirit of enterprise, and of clogging the main springs of the industry of the country? Were it not an unconstitutional course to allude to political feeling in that House, when a debate was going on, he would say that the imposition of the rate was a dangerous policy. The political feeling of the people in the north of Ireland was likely to be roused. It had been said, that their loyalty would suffer by the attempt to impose this rate. From his intimate knowledge of that part of the kingdom—from the straightforward and honest character of the people of the north of Ireland—he would say, that if their loyalty did suffer from this measure, he should feel no surprise. Nothing, however, but the grossest injustice could affect the loyalty of the people of the north of Ireland. But he was not one of those who thought that the loyalty of the people of Ireland could withstand the test of gross injustice. He did not think the worse of that loyalty which honestly stood forward in opposition to what appeared to be gross and scandalous injustice. The higher the sword was tempered, the more keen its edge, the more beautiful its polish, the more readily it would show a blot, a stain, or an insult. So it was with the loyalty of the north of Ireland—the more pure the spirit of loyalty, the more keenly would it appreciate the slightest injustice. Ireland was now labouring under an accumulated evil of four years' duration, and, he asked, was this a time to apply a temporary expedient? No, that time had gone by. The time had arrived when it became absolutely necessary that Government should adopt some comprehensive measures of legislation calculated to place the country on a sound basis, and enable her to discharge her own liabilities, without appearing at the bar of that House a suppliant for charity. That was a position which he felt to be deprecatory of the dignity of his country. For the reasons he had stated, he considered the measures to be contrary to the well-considered principles of legislation. He believed it would have a baneful influence on the industry of the country; that it would have the effect of corrupting that part of Ireland which had escaped unscathed from the calamity; and that it was a measure which, in the pursuit of a questionable good, would, in all probability, entail a certain and substantial evil. He hoped the observations he had made with respect to the loyalty of the north of Ireland would not fall unheeded on the Treasury bench; for if there was any section of Her Majesty's subjects whose loyalty and attachment ought to be fostered, and whose interests ought to be protected, it was the inhabitants of the north of Ireland. They had ever remained the sterling friends to British connexion; they had maintained through good and evil fortune a determination to uphold the religion, honour, integrity, and constitution of the country; and all the great institutions handed down by their forefathers they desired to revere and preserve. On behalf of that community he was now speaking, and he warned Her Majesty's Government of the danger of alienating their loyalty by inflicting upon them an imposition so monstrously unjust as the present. He would not detain the House further than by reading the opinion of a talented countryman of his, which struck him as being peculiarly apposite at this moment:—

> "This contemplated destruction of property is to be visited upon loyal subjects by the operation of the laws. It is a new thing to find Ministers of the Crown not only exonerating themselves from obligations to which the constitution pledges them, but avowing the determination to make the laws themselves instruments of evil wherever, until now, their influence, in theory at least, has been salutary. It is among the best established maxims of constitutional law that allegiance and protection are reciprocal—that loss of life, liberty, and property is to be ranked among the penalties of transgression—and that obedience to law should have its reward in preservation of life, liberty, and property. The Legislature is now called on to invert this maxim, and lavish rewards on the idle and ill-affected as well as on the helpless, and to heap wrongs and penalties on the deserving proprietors. It is indisputably an imperative duty to save life when it is possible. But although not so important, it is an equally manifest duty to protect property also; and the Minister or the Legislature who, to feed a hungry man in Galway, will reduce a laborious farmer in Antrim to beggary, is teaching a lesson more perilous to the welfare and stability of States than has ever been learned from Chartist or Repealer."

Viscount CASTLEREAGH thought the House would have regretted had he, when he first rose, interposed between them and the hon. Gentleman who had just sat down. He was extremely glad to find among them one who had displayed so much of promise as the hon. Gentleman, the more especially as he bore a name not altogether unknown to a large portion of that House. At that late period of the discussion, he would not presume to detain the House at any length. He wished, however, to offer one or two remarks with reference to the debate of last night. He wished to refer in the first place to the speech of the hon. Member for Cork who, he was sorry to say, was not now in his place. The hon. Member had stated that he had accepted the present measure, because there was no other means of preventing starvation in the south and west of Ireland. If any other course had been pointed out for that purpose, the hon. Member said that he would have felt bound to have adopted it. But that was an argument which might be used with reference to any measure, however unjust, which the Government might think fit to propose. The distress had long been known to the Government, and it was not till the eleventh hour that they had come forward with a proposal, declaring that if the House rejected it they had nothing more to offer. The proprietors of Ireland had been taunted with a want of charity. He wished English Members to recollect, although the inhabitants of the north of Ireland disliked the principle of a rate in aid, though they disliked paying, not as had been said for the religion, but for the idleness of Connaught, that no part of the kingdom contributed more largely to relieve the distress of Ireland than the province of Ulster, and more especially Belfast. It was not fair to ask them what alternative they would propose in the present case: for without knowing the opinions of their constituents on this point, it would be presumptuous for them to suggest any proposal in place of that before the House. The reason why he objected to this proposal was not because it would tax the landlords, but because it would be felt severely by the struggling ratepayers and the poorer occupiers of land. He deeply regretted that the religious element should ever have been alluded to in this discussion. Since ever he had had a seat in that House, every vote which he had given on questions affecting his Roman Catholic fellow-subjects, had been given with the earnest desire to unite the two great parties in Ireland for the common welfare of the country. It ought to be the great object of any present or any future statesman to endeavour to unite the Protestants and Roman Catholics of Ireland in one common feeling for the general government of the nation. He, therefore, regretted that the right hon. the Chancellor of the Exchequer had alluded to the religious distinction of the north and south. It was true the right hon. Baronet afterwards expressed his regret, and retracted his expressions, but they had not been without their effect. The hon. Member for Cork had read a stanza last night from a song not unknown in the north, but he thought it would have been better had he not introduced it. It was said that the present was to be a temporary measure. The Chancellor of the Exchequer did not seem to think so when he spoke the other night, for the only points he dwelt on were the merits of the tax, and the ease with which it might be collected. The hon. Member for Cork had come forward as the champion of the commercial interest of Ireland, in favour of the rate in aid, and claimed for the opinion of that interest the greatest possible support. He hoped the hon. Member did not forget that Belfast was a commercial town —of greater importance, as regarded tonnage, exports and imports, than any other port of Ireland. He held in his hand returns, which showed that the tonnage at the port of Belfast had more than doubled within the last twelve years; and he could show the extent of the imports and exports of Belfast as compared with other ports in Ireland. He took his figures from the reports of the Railway Board in 1835. He then found that the imports and exports of Belfast amounted to 8,037,231*l.*; Cork, 5,651,535*l.*; Dublin, 6,095,399*l.*; Waterford, 3,095,335*l.*; and Limerick, 1,050,407*l.*; so that the imports and exports of Belfast exceeded those of Cork by 2,500,000*l.*; Waterford, 5,000,000*l.*; and Limerick, 7,000,000*l.* And the hon. Member for Cork, seemed to have forgotten that Belfast had petitioned against the rate in aid. The right hon. Baronet the Home Secretary had last night read some extracts from the proceedings of a meeting at Belfast. He had interrupted the right hon. Baronet opposite when reading them, and had asked him to refer to the last resolution, which complained of the great influx into the north of Ireland of paupers from England and Scotland. He felt no surprise at the observations which had been made in the course of the debate with regard to the Poor Law Commissioners of Ireland. Giving them all the credit to which they were entitled, he thought it unfortunate that the right hon. Baronet the Secretary for Ireland, and the Private Secretary of the Lord Lieutenant, should both be members of that Commission. He must say he regretted the course which the right hon. Baronet the Member for Tamworth had taken on this question. It was with the greatest respect he listened to everything that fell from the right hon. Gentleman. When he heard the right hon. Baronet last night express the opinions he did, he felt that opposition on this subject in that House would be useless. Knowing as he did the condition of the farmers in the north of Ireland, struggling as they had been with famine—knowing their great anxiety with reference to the corn question, and their feeling that their interests had been compromised, he was afraid that in the speech of the right hon. Baronet of last night, they would find but additional reason for despair. The right hon. Baronet, not contented with supporting this rate, added—rather unkindly, though he believed not with an unkindly feeling—that he had heard hon. Members propose to extend the income tax to Ireland; that he had no objection to consider the subject after he had got a rate in aid. The prospect before them, therefore, was the imposition of the property tax, in addition to the rate in aid. If they were to be taxed to the fullest extent of their means, they ought to have a Committee to inquire into the whole debt and taxation of Ireland. The proportion of the debt of Ireland at the time of the Union ought to be ascertained. They ought to endeavour to apportion the taxation of the two countries fairly; and if that were done, Ireland would have a fair right to come to the Imperial Parliament for assistance. Ireland ought not to be cast on her own resources. The ties uniting the two countries ought to be real, whether in prosperity or distress, nor ought it to be in the power of any one to say that Ireland was an incumbrance upon this country. The right hon. Baronet had suggested a scheme of improvement; and at all events the country now knew that right hon. Gentleman's scheme of government for Ireland if he ever took office again. At the same time he (Viscount Castlereagh) doubted whether any Chancellor of the Exchequer could be found on that side of the House who would be content to buy large tracts of the west of Ireland upon the chance of selling them again by retail. If these estates were to be sold, it was wrong to set an example of such a system of taxation as that then under consideration. A maximum poor-rate of 7*s.* was certainly fixed, but there was no security that the buyer of these estates would not be saddled with an unlimited rate in aid. No man under those circumstances would be found bold enough to venture on the purchase. Much had been said in the present debate about the loyalty of Ulster; and the right hon. Baronet the Member for Tamworth had observed that no Member of that House would countenance rebellion—which was an unnecessary remark on the part of that right hon. Gentleman. But while there was no such feeling as disaffection in the breasts of the people of Ulster, there certainly was one of indignation, of disappointment, and of disgust. What course they would pursue he knew not; but he did know that they would be always loyal to this country. The question, however, might be, was repeal disloyalty? He very much feared the consequences of the measure of the Government; but there was one result he was certain of—namely, that though the people of Ulster would protest against what they deemed an unpalatable measure by all the constitutional means in their power, once let it become law they would behave as became loyal and good subjects. The people of Ulster might be relied upon to obey the law, but they would oppose this measure by every constitutional means in their power. The hon. Member for Downpatrick had stated the other night, that if this measure was carried, it was probable that the magistracy of the district would resign. Now he (Viscount Castlereagh) was requested to state that if such resignation took place, it would not be out of any disloyalty, but from their disapprobation of the measure of Her Majesty's Government.

Mr. TORRENS M'CULLAGH said, that Ministers could not complain of a want of variety, boldness, or candour in the alternatives which had been offered by those who resisted their plan. His hon. Friends the Members for the city of Limerick and the county of Cork, said, if money were wanted to feed the poor, it ought to be taken from the revenues of the Established Church. His hon. Friend the Member for Middlesex said, it would be better to sweep away all local control, and to resort altogether to national rating. The hon. Members for Londonderry and for the county of Tipperary asked, with a significance which was not to be mistaken, why could not Connaught support her own poor, as well as the rest of Ireland? which meant, if it were literally explained, that Connaught, being found insolvent, might be left with propriety to her own resources. The hon. Member for Northamptonshire, and others on the same side of the House, had asked why the area of taxation should not be lessened, in order that as the proprietors of land in Ireland had generally failed in their duty, every proprietor should be left to take care of his own poor? But perhaps the most extraordinary proposition of all was that of the noble Viscount who had just sat down, entertained also by the hon. and learned Member for the University of Dublin, that instead of imposing a rate in aid of 300,000*l.*, the House should equalise the taxation of the two countries, which would entail new burdens upon Ireland to the extent of 1,100,000*l.* The noble Viscount also, in reproachful terms, declared that the industry of Ulster should not be called upon to support the idleness of Connaught. As a native of Leinster, he might make a similar objection. But from his own personal observation, he considered that such an objection would, on his part, be both uncharitable and untimely; for it would be to reproach the people of that distressed district with an idleness which was perfectly involuntary. That reproach could not be urged against them before their food had failed, when their usual wages were 4*d.* or 5*d.* a day. Men were not fairly tried who had hardly sufficient bread to keep the breath in their nostrils. The hon. Member for Northamptonshire, abandoning the townland scheme, asked for a system of estate rating. Now, if anything like a system of estate rating were adopted, they must either give a settlement co-extensive with the rated area, or they must refuse it. Without a settlement, this proposition would infallibly give a new stimulus to the systematic practice of clearances and wholesale dispossessions already but too prevalent; and it would tend utterly to crush the spirit of the towns, on which, after all, they must depend for progress, civilisation, commerce, and intelligence. But, if they adopted estate rating with a settlement, then what would be the effect? Why, they would have a system of serfhood in Ireland unparalleled in any country of the earth, except Russia. In what condition would labourers and employers then find themselves? Each labourer would have to look to one particular employer; all competition would be gone; and either the landlord would be pauperised, by being compelled to take such an amount of work only as the labourer chose to render, or the workman, by being compelled to take only such pay as his master chose to give him. But he called upon them to consider, as men of whom history must speak hereafter, whether it was not a perilous thing for the landlords of Ireland to come to Parliament and say, "Let us take care of our own." Before the famine fell upon the land, in what position were the poor of Ireland when left to the care of their landlords? When that ghastly reaper came, why stood the crop so thick and ready to fall beneath his sickle? Few landlords ever did their duty to the people of the west—therefore the people were idle—therefore the landlords were embarrassed—and, therefore, they must now abide the fearful result, as far as it could be brought to bear upon them. Everything he had heard of late from Ireland confirmed him in the impression that the Government would do wrong to tempt new proprietors or new occupiers by promising to forgive past defalcations in the rates. By such a step, they would inflict an obvious penalty upon those who had paid up their rates; and he contended that before another 6*d.* were levied upon other portions of the kingdom, Connaught ought to be compelled to make good all defalcations, even though recourse should be had to the sale of the fee-simple of the land. He should be sorry, however, to be understood as yielding any degree of assent to the proposal to adhere, without any mitigation, to the existing law—to heap rate upon rate on western property until the entire of the present landlords were extirpated—and then to sell their lands by wholesale at a depreciated value to jobbers in the market. Now, he had two insurmountable objections to this communist scheme. In the first place, it was wholly unjustifiable; and, in the next place, it would be utterly abortive. It was wrong, because they had no moral right, after looking on at the state of things growing up in Connaught, and of which they were warned again and again by competent authority, to turn short upon one particular class of men, and break them on the wheel of excessive taxation. They could not destroy one class of the community without ruining others dependent upon them to a greater or less extent; and in a region like the west of Ireland, where mercantile industry was still so backward, and credit so low, he could not conceive a more fatal measure than driving the entire proprietary class to bankruptcy. Let them remain where they were, but compel them to do their duty. Place on the land as high a contribution to the support of the poor as the land was fairly able to bear, but no more. The good and improving landlord, with the security of a maximum rating, such as had been proposed by the noble Lord at the head of Her Majesty's Government, would then pay his rates. The bad might not, and then he must sell—not his entire estate—not that which in truth belonged to other and innocent parties who had lent their money thereon—but just so much as would discharge the arrears of rates. Mark the difference between this and the scheme of limitless rating. The one drew a palpable line between the evil and the good—the thriftless and the thrifty; the other confounded all together in one common ruin. In the one case we asked men to pay what they could pay; in the other we asked them to pay what we knew they could not. With regard to the phrase of lands "lying waste," he thought he could furnish a profitable illustration to the House. He had spent the greater part of last autumn in the west of Ireland; and on one occasion when passing by the estate of a gentleman of large property in one of the most distressed unions, he observed numerous fields which had evidently before been under tillage, covered with a thin sward. He asked the keeper of the lands how it was that those fields seemed vacant. He was told that the people had been turned off. "Has anybody got them now?" was the next question. "No," was the answer, "they are running into grass; the rates are in arrear, and there is nobody to pay them." Now those lands were obviously in process of gradual recovery from the miserable tillage they had been under; and though called "waste," were evidently becoming more valuable every day. Upon the other side of the road was a dark bog, on which nothing but heath had ever grown; upon that bog people were building twenty-four wretched huts, each having a rood of ground marked out behind it; and he found that these were the dispossessed tenantry, who had been unable to pay the rates, and who were now planted as squatters upon this bog, while the lands which they formerly occupied were recovering their verdure. Now, he asked, were such the lands upon which the rates were to be forgiven? Hon. Gentlemen opposite, who professed themselves the peculiar friends of the farmer, assured the House that it was not upon their own accounts, but for the sake of the frieze-coated peasantry, they opposed this measure. He felt the force of that argument strongly, and if the Amendment of the hon. and gallant Member for Longford merely raised the question between placing an income tax upon those who were able to pay it, and imposing a rate in aid upon the occupiers of land, he should vote for the Amendment. But he did not conceive that that was the case; and if they were anxious to relieve the tenant, the ready way of doing so would be to give credit for the sixpenny rate in the rent. He was of opinion that the principle of a property tax might seem fairer in the abstract, and, in any other condition of Ireland, would have been less heavily felt, perhaps, than the rate in aid; and if the amount which the hon. Gentleman sought to levy by an income tax, were only the same as was to be raised by the rate in aid, it would be difficult to resist the proposition. But when it was sought to extend the income tax to personal property, to professional incomes, and to commercial profits, then he thought the hon. Gentleman overlooked the fact that the mercantile interests in Ireland had suffered during the famine as severely as the mercantile interests in England suffered during the panic. [" Hear, hear! " *and cries of* " Oh !"] He repeated it; and in proof of what he asserted, he would read an extract showing the decline of the circulation in Ireland during the last three years. In England, the circulation, which fell with the panic, rose again when the panic subsided; but such had not been the case in Ireland. In the first half-year of 1846, the circulation in Bank of Ireland and all other notes, was 7,424,000*l.* It gradually fell in the course of the second half of that year to 6,863,000*l.* In the second half of the following year, 1847, it sank to 5,306,000*l.*, and in the second half year of 1848, it had fallen so low as 4,542,000*l.* —being a decrease of 40 per cent steadily taking place, and as yet unchecked, in the circulating medium of a country nearly the whole of whose business transactions was conducted in paper money. He contended, therefore, that the mercantile classes of Ireland were not in the condition that increased taxation could be imposed upon them without considerable risk. He knew it was said that until Connaught had paid up all uncollected rates it would be unjust to ask for contributions from the rest of the kingdom. But the fact was, that there was quite as large an amount of uncollected rates in Ulster, which was held up as the only part of Ireland which ever did its duty. It did not follow that because the rates were uncollected, that therefore they were desperate arrears. He believed the practice with reference to the rates was this, that as soon as a rate was struck and put in course of levy, the amount which remained unpaid at the end of the month was set down as in arrear. Arrear in the treasurer's account had no reference to the length of time which any part of the money was due, and consequently furnished no fair test, indeed, no test at all, of the amount of probable or certain defalcation. It was only on an average of years or half years that such a computation could be correctly or justly formed; and if hon. Gentlemen would look into this part of the question, they would find that the proportion of insolvent arrears in this hapless and suffering province was most marvellously small. Upon the important suggestions of the right hon. Baronet the Member for Tamworth, he felt very reluctant to trouble the House with any comments; but he thought the right hon. Gentleman who proposed the idea of a plantation in Connaught similar to that which had taken place in Ulster, during the seventeenth century, had omitted one circumstance which contributed mainly to the present state of things. When Ulster was planted, the Government of England took care, not merely to send gentlemen of condition to take possession of the forfeited lands, but provided, by a system of tenures, for the creation of a middle class, to whose existence in that country much of its present prosperity was owing. If the right hon. Baronet, in addition to the valuable suggestions which he had thrown out, would adopt the principle of the tenures of Ulster, and if he would also consent that arrears of rates, instead of being forgiven, should be made payable out of the fee-simple of the land, he would pass a real incumbered estates Bill far more efficacious than that which they had passed last year, because they would find purchasers for portions of the land already existing in the country. He regretted that the right hon. Gentleman the Secretary for the Home Department seemed to say that the Incumbered Estates Bill had failed to work, from the conditions imposed on it by the Court of Chancery, in Ireland. His belief was that it had failed to work in Ireland because the Bill was incapable of working. If they were going to have a change of owners in the west of Ireland, begin with the class who were already in the country, and who were ready to become purchasers. They would have many competitors of this class. They would have no longer an answer such as was given by a Suffolk farmer, whom he met in the county of Mayo, and who had gone there with the intention of taking a farm. He said that there were two insuperable objections: the rates were unlimited, and the wages too low. This was his meaning: he had been farming a long time; he began in England at 1*s.* 6*d.* a day; he made nothing of it; he never made money till he gave half-a-crown a day, and he added that those persons who took 6*d.* were utterly incapable of giving in return the sort of work which he wanted done. As an Irishman, he asked hon. Gentlemen, before they came to this vote, whether it was not better to give up the pauper policy which they had been obliged to pursue in the House and out of it, and to tell their country that at last they resolved on making a struggle together, one for another; and if it was not possible to go through the struggle without assistance, at least they would come to England with better grace for further contributions. As regarded what had been done by the House, he would say that he voted for the grant of 50,000*l.*, as he knew other Gentlemen did, with a sense of the deepest personal and political humiliation. He confessed that he felt it a most ungrateful duty to perform, but he was told there was no other way of keeping thousands of his fellow-creatures alive. He should, however, think it the greatest blessing to his country, and the greatest obligation which could be conferred on himself, as a man, never to be asked to vote for a similar grant. Did any man who had observed the feeling of England, reflected in the public press and in Parliament, seriously mean to say that the Minister could hope to get adequate votes for the purpose? They might deplore—he owned, for one, that he deeply deplored—the growing feelings of national repulsion and distrust that had arisen between the two countries. The causes they all too well knew. You have in England (continued the hon. Gentleman) taken the unworthy manner in which your generosity to us was met by a reckless few in Ireland, for the feeling of the whole of our people. Of such ingratitude I believe there are thousands who are heartily ashamed; and in such unworthy sentiments the mass of the people, I am certain, never participated. On the other hand, it is impossible for an Irishman of spirit or of honour not to feel deeply and bitterly the indiscriminate reproach and scorn of which our country has often been the object. Your gifts were splendid when our exigency was great; but we have been rather too frequently reminded of them, and not unfrequently in terms as contemptuous and offensive as words could possibly convey. Do not mistake me. I do not underrate the value or the virtue of the dole; what I deplore is, that it should so often have been asked for, and that with so great occasion. But I do wish to see Ireland daring to look her misery in the face. We have heard it said, that if Irish property be held accountable for Irish poverty, a new cry will be raised for repeal. Do Gentlemen mean for a repeal of the union between Connaught and Ulster? Why, what folly and madness is this? Can you really suppose that the Minister will be brought to believe in such empty, ill-timed, and, I must say, most un-national and anti-national threats? Repeal may be right or it may be wrong. I am not one of those who have spoken lightly of the injustice it seeks to remedy; and I do not scruple to say that I think a great change must take place in the legislative policy pursued towards Ireland before the desire for repeal can be expected to die away. But I say to my countrymen who think a repeal of the Union essential to the welfare of Ireland—whether they be the Protestants of the north, or the Catholics of the south—you have no right to hope for success in any such demand unless you first learn the duty of bearing one another's burdens, and the dignity of habitual self-sustainment in suffering and trial; for, in my opinion, there is no nationality worth having except the nationality that is founded upon self-respect.

SIR A. BROOKE, in explanation, denied that he had made any sweeping accusations against the landed proprietors in any part of Ireland. He had confined his observations to the proprietors in those districts which were now labouring under such extreme destitution; and he had qualified his remarks by stating that among them there were instances of landlords having exerted all their energies to support the people.

The Earl of LINCOLN: Recollecting that at the adjournment of the House, at an early hour this morning, my hon. Friend the Member for the city of Dublin (Mr. Grogan) announced that nearly every Irish Member in the House wished to speak upon this question, I shall endeavour to be as brief as possible in the observations it is my desire to make. At the same time, as up to the present hour none but Irish Members have addressed the House this evening, I hope it will not be considered out of place, or at all impertinent, if one British Member rises now to speak upon a topic which I, at least, feel must be interesting to us all, not merely as affecting Ireland, but as affecting the kingdom at large. And in endeavouring to be brief, I shall confine myself entirely to the observations which I wish to address to the question immediately before the House—namely, the adaptation, or non-adaptation, of the rate in aid for the purposes indicated by the noble Lord at the head of Her Majesty's Government. I am aware of the disadvantage under which I place myself by not entering into other topics which, under more advantageous circumstances as regards time, might with great propriety be introduced into the discussion, and without which, I admit, the question cannot be altogether fairly or adequately argued. I am aware that I must deprive myself also of the advantage of touching upon many of those topics which have been so ably and eloquently touched upon by the hon. and learned Gentleman who has just sat down, in a speech which I am sure all the House must have been delighted to hear; not, perhaps, as bearing upon the practical subject which is immediately before the House, but as relative to the important questions of amending the poor-law, and improving the social condition of the people of Ireland generally. I admit, Sir, that during the many years I have now had the honour of a seat in this House, I do not recollect any occasion upon which I felt greater difficulty as to the decision I should arrive at, or as to the vote I should give, than upon the question now before the House; not so much from any doubt as to the principle of the measure, or from feeling any hesitation of opinion as to the merits of the plan proposed by the noble Lord, but because I feel that in the peculiar circumstances in which the two countries have been relatively placed, and in the position in which we, the House of Commons, find ourselves at the particular moment when this project is first propounded to us, we are obliged to come to a decision upon the abstract question, ay or no, whether the rate in aid shall be voted, without entertaining other questions affecting the poor-law and the social condition of Ireland — questions which I feel it would have been desirable to have considered at the same time. I think that in discussing the question of the rate in aid, I may at once fairly start with a proposition of the necessity for affording extraneous aid to certain unions in the west of Ireland which have been indicated by the Government. I admit, with the hon. and learned Gentleman who last addressed the House, it is impossible to leave the bankruptcy of Connaught to support and extricate itself. I admit it is impossible to speak of Connaught being left only to its own resources. I admit we are not now placed in a position which entitles us to consider, in an abstract point of view, the situation of that country. We are now called upon to decide that extraneous aid must, from some source or other, be afforded. That, I take it, will not be denied. I think I may also take for granted the admission, almost universally made by Irish Members who have spoken in this debate, that that aid must come from Ireland. Two questions alone will then remain, namely, whether this aid must come from part or the whole of Ireland; and, in whichever way you decide that question, how shall this aid be most advantageously and most lightly raised? As regards the first of these questions, I think it can easily be proved, that if this aid is to be derived from Ireland at all, it must be obtained from the whole country. I agree very much with the hon. and learned Gentleman who spoke last, that as regarded a permanent system, it would be most desirable that these unions should be rendered liable in their fee-simple for rates, and thus be self-supporting until their whole means were exhausted. This is the principle acknowledged in the poor-law as it at present stands, though I know it may not be carried into actual operation. Certainly, as regards the present emergency, it must be impossible to derive that aid from the individual unions. I believe it would be equally impossible for any number of the neighbouring unions to afford sufficient aid. I believe that in some cases the counties could not afford it, and in Connaught not even the particular province. At any rate, assuming the possibility that they could, I do not see any great advantage in adopting either the county or the province. I think, then, it is necessary that this aid should come from the whole of Ireland. And here, Sir, following the sentiment of my noble Friend the Member for Down (Viscount Castlereagh), let me express my regret that, in the course of this discussion, so much should have been made of what is called the Ulster question. I was delighted to hear him say it was important to dismiss all religious questions from the consideration of this subject. If they have been at all introduced, I believe it was through inadvertence alone; and I am sure that those who referred to them did not intend to put them forward as arguments for or against this measure. But, apart from any religious questions, I do not believe that this is an Ulster question alone. I believe that Leinster is more interested in it than Ulster, and Munster more than either of them. Before, however, I go further, I must say I cannot agree with the noble Lord at the head of the Government, that the safe and solid ground for determining upon the taxation of Ireland for this purpose is, as having the object of introducing an equivalent taxation to that of England. I say at once, that whilst I am favourable to the taxation of Ireland for this purpose, I do not support it upon the ground of finding an equivalent taxation to that of this country, for I am decidedly of opinion that equivalent taxation is not a sound principle upon which to proceed. I believe it is not a sound principle with regard to general taxation; but here you are introducing it, not as a question of general taxation, but as balancing local taxation against general taxation. I believe the only sound principle would be equal taxation, and that, if equal taxation were adopted, as regards all the three countries, undoubtedly there would exist a state of things when Ireland, or part of Ireland, would be intitled to draw upon the imperial exchequer, to make good any deficiencies that might arise from any extraordinary misfortune to render aid requisite. I repeat, that in my opinion the principle of equivalent taxation is not a sound principle, even if you could prove it to be real; but I think I can show without much difficulty that, in the present instance at least, there is no reality in the equivalent whatever, particularly if I were to touch upon some points put forward by the noble Lord, and the right hon. Gentleman the Chancellor of the Exchequer. The right hon. Gentleman the Chancellor of the Exchequer said the other evening, as I understood him, that he adopted this measure upon the sole ground that it was temporary. The noble Lord, however, went further, for he not only asserted that the measure was temporary, but he expressed a confident opinion that the emergency for which it was proposed was temporary also. Undoubtedly, if we pass this measure for two years, as far as the expedient is concerned, it will be temporary; but I cannot admit that the occasion for which it is required is, by any means, likely to be temporary. Upon the contrary, I believe that by passing it we shall be adopting a temporary expedient to meet not only a permanent but an increasing evil. I certainly should rejoice if I could take so sanguine a view as the noble Lord, and, like him, believe that any measure such as this, passed for two years, would solve the difficult problem of Ireland. The noble Lord gave several instances as reasons why he thought this measure was likely to be temporary. He said, for example, that all precedents indicated that where distress had arisen from causes over which the Legislature had no control, prosperity returned after the interval of a short period; and the noble Lord instanced those who had lived by the collection of kelp in the western isles of Scotland, the woollen manufactures in the south of England, and several places where various branches of manufacture had subsisted and flourished for a time. Now, I maintain that in every one of those instances the noble Lord was in error. As regards the Western Isles of Scotland, the Government cannot have forgotten that at the time we were dealing with this difficulty of Ireland, two years ago, there was distress in their localities from the self-same cause—the accumulation of inhabitants in consequence of the facilities for procuring food, which the country originally afforded, and that we were called upon to give assistance from the public exchequer. That that assistance was not so great as that rendered to Ireland, arose, not from the distress being less, but because there existed in those localities greater means among the landed proprietors, and, I am bound to say, the greatest willingness to meet, even to the extent of their fortunes and property, the demands which that distress made upon them. And, certainly, the noble Lord cannot think that distress has been temporary; on the contrary, it has been permanent, and it exists to this day. As regards the accumulation of inhabitants consequent upon the woollen trade in the south of England, I can point out to the noble Lord a parish in Wiltshire, where the rates are at this moment 12*s.* 6*d.* in the pound. I can point out instances where they are even more, and that solely and entirely in consequence of the number of people originally brought there by the work afforded by the woollen manufacture, which, having now departed into Yorkshire and Lancashire, has left the people dependent upon the parish. Turn also to Spitalfields. Why, the normal state of Spitalfields is distress. In each and all of these cases to which the noble Lord made reference, it is impossible to speak of the distress as being temporary. The noble Lord, upon these views, held out to us the expectation that, after the expiration of the two years for which the proposition is made, his hopes would be realised. He contemplated that one of two things would happen—either that there would be such a revival of the potato, and consequently renewal of the ordinary food of the people, as would entirely remove all distress, or such an emigration of the inhabitants from Ireland, principally to England, that the distressed districts would not be burdened. As regards the first of these hopes, I presume the noble Lord must have pointed not only to the revival of the potato crop, but also of the conacre system, without which it would be impossible for the poor population to subsist themselves, even if potatoes were abundant, as they have no means of purchasing food. I believe there is nobody connected with England who will not bear me out in saying, however ungrateful it may appear to depreciate one of the greatest blessings of Providence, that an extensive revival of the potato, if attended with a revival of conacre, would be a great calamity. The other alternative would be as great a calamity as regards England and Scotland. For what does the noble Lord contemplate by it? Does he not contemplate that the ablebodied must flock over to Liverpool and Glasgow, and swamp the unwholesome cellars and fœtid alleys of those cities, bringing pestilence and fever with them, thus injuring themselves as well as those to whom they come, whilst they leave their wives and children to be supported in Ireland? It is impossible, therefore, upon such considerations, to look upon this as a merely temporary measure, however temporary it may appear as an expedient. Although I do not now ask the noble Lord for any great or comprehensive measure for the improvement of Ireland, I do regret that at the time he brought this proposition forward, as a temporary expedient, he has not been enabled to explain by what plans he proposes to meet the evil, which is great and increasing, at the expiration of the two years. Meet the difficulty either by a rate in aid or an income tax—the remedy, I fear, is but an expedient. But the noble Lord states that this is not only a temporary measure, but that it will also be small in amount. He contemplated that the rate in aid would produce 250,000*l.* If the amount is so small, I very much fear whether it will prove sufficient for the purpose. I confess, so far as I can form an opinion, after perusing the documents laid upon the table this Session, I have come to the conclusion that 250,000*l.* can, under no circumstances, be sufficient. I dwell upon this part of the question especially, because, in my opinion, it is somewhat of an answer to the hon. and learned Gentleman who last addressed the House, when he pointed out the superior excellence of the rate in aid as compared with an income tax, upon account of its smallness. But if the rate in aid should not be sufficient, as I anticipate, one of two things must certainly happen. You must either meet the deficiency by further grants from the Exchequer, and thereby depart from the principle you are now anxious to establish, that Ireland should provide for her own poor, or you must come again to Parliament, and ask Parliament to increase this sixpenny rate into one of a shilling. I should deprecate this course as much as I do the other. No doubt exaggerated apprehensions are entertained in many parts of Ireland as to the consequences of the rate in aid; but they think, in many places, if they once consent to a sixpenny rate, that if more is required, a ready facility will be afforded for that purpose to any Minister who is anxious to avoid the great difficulty of legislating in a spirit comprehensive in its bearings upon the interests of the united empire. Sixpence, they say, therefore, would not be the maximum. I said, at the commencement of my observations, that the principle of equivalent taxation was violated in this instance, because you could not make the equivalent real. What is it for which you propose this as an equivalent? For the assessed taxes and the income tax. But this is a special tax which you now propose to put on Ireland—a special tax upon one single class—and that single class, the very class which in this country is exempt from those taxes for which it is proposed as an equivalent. I repeat, therefore, that your principle of equivalent taxation altogether fails. It may perhaps be to some extent an equivalent as regards the incidence of taxation upon the two countries, but as regards individuals and classes, it is none whatever. The maxim has been laid down, and it is a very proper one, that the property of Ireland should support the poverty of Ireland. That is an aphorism which must be generally admitted if properly interpreted. The property of Ireland, I imagine, is twofold—personal and real. Who, in this case, do you propose to tax? Why, those who have suffered most during two years of distress; and you propose to exempt those who have not borne any large share of the cost of the misfortunes of those two years. Now, I am quite ready to admit that the commercial classes have participated in the poverty and suffering of Ireland; and indeed it would be at variance with every sound view of political economy to maintain that they could have been exempted; but undoubtedly, so far as this question of taxation goes, the land has been taxed very heavily, while the commercial interests have, only to a comparatively small degree, participated in the burden. But in comparing the merits of a rate in aid with those of an income tax, we must look to the difference as regards the persons who are to pay either one or the other. In the case of an income tax, those who pay it upon a nominal income make deductions in proportion to the amount of the fixed payments they have to pay out of that income. But there can be no such deductions made in the case of a poor-rate. In the one instance you appear to pay upon your clear receipts; in the other you pay, not out of your property, but, on the contrary, you may have to pay, in this instance, a rate of 6*d.* in the pound, out of perhaps no income at all. Now, admitting that it is right that Ireland should be called upon to pay, in some shape or other, but denying the doctrine of the noble Lord, that it is the exemption of Ireland from some taxes which England pays which justifies the present measure, I have to explain why I am willing to agree with the principle, although I deny the grounds on which its justification is based. I think, then, that the principle is justified solely by the propinquity of those who have to pay to those who have to receive. That is the reason why the former should be submitted to this rate in aid, or to its substitute, an income tax. For, if this state of increasing pauperism be allowed to continue, the time cannot be far distant when the prosperous districts will be affected, and those who are now exempt will be involved in one common ruin. But, then, this leads me to another consideration; and I conceive that the proposition of the Government involves another faulty principle. If you call upon certain prosperous portions of Ireland to pay for the distressed districts, you ought to prove that that tax will tend to remove pauperism. It will be no satisfaction to those who are to pay the rates, nor can they admit the justification to which I have referred, if they consider that the money has been spent, not in removing pauperism, but in feeding paupers. And, besides, I think you must—and here is another objection to the plan—I think you must, in cases of this kind, when dealing with the feelings of the people, humour their perhaps exaggerated apprehensions, and not depend too entirely upon your own dry reasoning powers, and assume that they will not be influenced by fears in which you may not participate. I apprehend that it will tend to unsettle the minds of many of the smaller farmers in Ireland; that it will make them apprehensive that attempts may be made to increase the rate; that it will tend to decrease the application of capital to the soil; and that these apprehensions will tend to promote that species of emigration from Ireland which has been going on already to some extent—not a healthy emigration, but one arising from the fear of those who possess capital to cultivate the land at home—fear not of the present state of matters, but apprehensions of what is to come. The Government cannot be ignorant that their plan does met with very considerable opposition, not merely from the provinces of Ulster and Leinster, but even from the distressed districts, who will not be the payers, but the recipients of the rate. I yesterday evening presented a petition from the union of Carrickmacross against the rate, and when I mention one statistical fact connected with that locality, the House will perceive whether the union in question can be classed amongst those which are prosperous. The number of inhabitants in the union is 39,000, and that of the acres in the union 37,000. I leave the House to judge of the condition of such a district. Now, the right hon. Gentleman the Home Secretary dealt yesterday at considerable length upon the question of valuation. In this respect also I think that the plan of the Government is very faulty. To impose fairly a rate of the kind, there ought to be a uniform valuation of property in Ireland. I do not ground this statement on my own opinion —I make it upon that of a most competent authority — Mr. Griffith, who asserts that a uniform valuation is absolutely necessary. I know that the right hon. Gentlemen opposite told us that the valuation was not uniform in the counties of England. I am aware that such is the case, and a great grievance it is. But the case is not so strong in England as it will be in Ireland; because, in the former, the money raised by the counties is expended in the counties, while the inequality itself is by no means so great as that which exists in Ireland. The right hon. Gentleman was also in error in saying that the present poor-law valuation was applicable for county purposes. Such is not the case. An old townland valuation is used for these purposes. And here I may be allowed to refer to the evidence of Mr. Griffith, not to mere *viva voce* evidence in cross-examination, but to a paper deliberately put in before the Committee. In that paper Mr. Griffith says—

> "It is generally admitted that the poor-law valuation of Ireland is not relative in regard to the actual value placed on the lands and tenements of one part of a single union as compared with another; and having been made by a number of unconnected individuals, each of whom interpreted the Act according to his own views, as might be expected, considerable discrepancies occur between the proportionate value which one union, taken as a whole, bears to another; and, besides, in many unions the guardians have had revisions made of the original poor-law valuation, with a view to its being reduced, although such original valuation was confessedly below the then average letting value of the lands of the union."

Now this is the valuation on which this rate in aid is to be levied. Mr. Griffith goes on—

> "If we compare the gross amount of the present townland valuation of the several poor-law unions contained in five of the northern counties —viz., Londonderry, Antrim, Down, Armagh, and Tyrone, with the poor-law valuation of the same unions, though considerable discrepancies arise in regard to some unions, we find that to bring up the townland valuation to the poor-law valuation, (which is supposed to represent the letting value, though it is under the mark), we must add about one third, or 6*s.* 8*d.* in the pound."

Mr. Griffith continues—

> "Then, if we refer to the union of Newtownards, in the county of Down, we find that the poor-law valuation is higher than the general valuation by one half, or 10*s.* in the pound, while in another, as Larne, it is not more than 4*s.* 2*d.* in the pound higher; but the average of the whole will give an addition of about 6*s.* 8*d.* in the pound. If, in the same manner we compare the gross amounts of the two valuations of the unions of the following counties—viz.: Donegal, Cavan, Louth, Westmeath, Kildare, Queen's County, Wicklow, Fermanagh, Monaghan, Longford, Meath, King's County, Carlow, and Wexford—we find that on an average the townland valuation is about one fourth, or 5*s.* in the pound, under the poor-law. And, again, if we take six of the western counties—viz., Sligo, Roscommon, Galway, Leitrim, Mayo, and Clare—where the people are very poor, and agriculture is in a very backward state —we find that the townland valuation is, on an average, only 1*s.* 6*d* in the pound under the poor-law valuation; but, in the province of Connaught, the poor-law valuation is very low as compared to actual rents, in some cases, not one half, and is, on an average, about 3*s.* 6*d.* in the pound under the poor-law valuation of the province of Leinster, and 5*s.* in the pound under that of the principal counties of the province of Ulster. So much for the inequality of the rates of valuation."

Having thus stated his opinion on the subject, Mr. Griffith is asked the following questions:—

> "You conceive, then, that no general rate could be imposed, taking the poor-law valuation as the basis for that general rate?—I think, as the basis of a general rate, it would be unjust, on account of the inequality.
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> "A general rate, therefore, taken upon the townland valuation, which was based on circumstances which have varied, would not now be a just and equal rate?—The variations have been chiefly in the west, but the valuation itself is relatively, within itself, the same as it was at the time it was made.
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> "At the time it was made, circumstances being then as they were, it may have been just and equal; but if the circumstances in any large district in Ireland should have materially changed, the relative justice of that valuation is destroyed, is it not?—Certainly, as far as the change has taken place in one place, and not in another.
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> "Have not changes taken place since in that valuation to a great extent over the large area which was embraced in that valuation?—They have."

The noble Lord continued. To be sure, there is a valuation being made under Government auspices—there is a townland valuation; but in five counties it does not exist at all. In Tipperary, Waterford, and Cork, it cannot be finished until the close of the present year; in Limerick and in Kerry, generally, it cannot be finished until next year; while in some portions of Cork and Kerry it cannot be finished until the year 1851. But, after all, I fear that a townland valuation will be inapplicable, on account of its want of divisibility. Indeed I believe that the only sound valuation would be a tenement valuation. Well, an Act passed in 1846, enabling the Government to complete an uniform tenement valuation. But such a valuation is deficient in five counties, and it is complete only in one, and even there appeals are still being heard and decided upon the question. The result is, that you have only this faulty poor-law valuation to go by, and I have shown the extreme inequality of its pressure. For example, in Belfast the difference in the poor-law valuation above the townland valuation is 20*s*. 8*d*. in the pound—while in the union of Castleblaney it is 3*s*. 5*d*. in the pound below the townland valuation. Now, Sir, I have endeavoured, after having given the subject my best consideration, to set before the House the objections which I entertain to the plan of Her Majesty's Government. I stated at the outset, that I felt it was necessary, for reasons which I assigned, that Ireland should be called upon to pay her due share; and if we stood now as we stood at the commencement of the debate, I even believe I should have given my vote for this faulty proposal of Government in default of a better. Unconnected as I am with Ireland, I should not have felt myself called upon, as an independent Member of the House, to have framed and moved an amendment. But a proposal has been made which I think far more fair and more just than that of the noble Lord—a proposal for an income tax on the income and property of Ireland. That proposal has been made by an Irish Member, and one who is now sitting on the Poor Law Committee. Such a scheme would, I think, be far more equitable, both as regards those who are to pay and those who are to receive, while it would be infinitely less mischievous to the remaining portion of the people than the plan proposed by Her Majesty's Government. I may be told, that although this course may be the more just, there are difficulties in the way of its accomplishment. It may be said that there is no machinery for this purpose. I am aware of the difficulty of finding adequate machinery in Ireland, and that the English machinery cannot be adopted in some portions of Ireland. But when I consider what exertions were made two years ago in instituting machinery in Ireland for carrying on the relief works, I do not think that these difficulties are insuperable. I think if one of the courses proposed is sound, and the other vicious, it will be better to try this new machinery than adopt the vicious system. When I recollect the machinery established for the relief works in 1846 and 1847, and looking at the experience which the Government must have with respect to that machinery, I cannot help looking for some simplification of the machinery in operation. Then arises the question of time with respect to this proposal. Undoubtedly, if the noble Lord had proposed his resolutions to the House as he proposed them to the Committee, he might have turned round upon me as to the question of time. But I think I can assist the noble Lord in getting the income tax within a shorter period than this rate in aid. The noble Lord does not now propose a special rate, but a sixpenny rate, that shall be raised with the other rates connected with the system of the poor-laws. If I understand his resolutions aright, the consequence will be, that no rates will be collected until the autumn of this year. I think the abandonment of the resolution, as laid before the Committee, was judicious, and I think it better to defer the collection of it until the other rates are collected. Now, I think there is in reference to time a strong argument why an income tax should be adopted instead of this rate in aid. I have shown that the rate in aid cannot be collected until the autumn, whilst an income tax could be assessed from the 5th April. [Mr. J. WILSON expressed dissent.] The hon. Gentleman may smile, but I repeat that an income tax is retrospective, whilst the rate in aid is prospective. Now, Sir, I began by stating that equal taxation should be the principle upon which we should proceed, and that if it were possible to attain equal taxation, it would be most desirable. I admit that the Amendment of the hon. Member for Longford (Major Blackall) does not come up to that principle; but as the proposal to impose an income tax is an approach towards equality, and as I think a rate in aid is in principle vicious, whilst an income tax, on the other hand, is in principle judicious, I am inclined to vote for that proposal. Feeling that it is desirable that Ireland should be made to contribute in some shape or other for the relief of the distress in these unfortunate unions, but feeling at the same time that the rate in aid as proposed will be fraught with considerable evil, and that it would affect not only the present but the future comparative prosperity of many parts of the country; and believing, moreover, that the end in view will be more perfectly and more speedily attained, and upon a sounder and more just principle, by the adoption of the Motion of the hon. Member for Longford, I shall vote with him, at the same time giving notice that in the event of that Motion being carried, I should be prepared when we go into Committee to assimilate the income tax for Ireland to that of England, by making it 7*d.* and not 6*d.* in the pound.

COLONEL DUNNE considered that it was impossible to address the House without referring to the speech of the right hon. Baronet the Member for Tamworth. He was gratified with that speech, for the right hon. Baronet spoke with justice and with kindness of the landlords of Ireland, and had used language with regard to them which was unusual on his (Colonel Dunne's) side of the House, and that was, too, very different in its tone from that adopted by the right hon. Secretary for the Home Department. There was, however, one part of the speech of the right hon. Baronet in which he did not agree. The right hon. Baronet had said that there were two questions before the House. The first, was there any necessity for extraordinary aid? The second, what was the source from which that aid should be derived? They all agreed as to the necessity; and then the whole question was, where was the aid to come from? Whether it was fair for Ireland to pay for the impoverished unions, or whether should the whole empire pay for these unions? It was said that Ireland should pay this sum, because she did not contribute an equal proportion to the taxation of the empire. Now, this was not a subject which should be permitted to rest as it was; it ought to be investigated by a Committee of the House, and he would suggest that until that Committee gave in its report, the proposition for an income tax ought to be suspended. Ireland, at the time of the Union, was to pay two-seventeenths of the whole tax, that was the 1*s.* 7½*d.* He believed that if the whole of the taxation of the country—if they reckoned the poor-rate, and the county cess, and the customs, and the income tax paid by Irishmen in England—then, he said, if they reckoned that, it would be found that their payments from Ireland was as one to eight—then they would find that the valuation of the property of Ireland was as to the property of England about one-seventh. The right hon. Baronet had referred to the plantation of Ulster in the reign of James I. Now, in the history of injustice—and every page in the history of Ireland was a page in the history of injustice—he knew of none which showed more injustice than the original plantation of Ulster in the reign of James I. Whether the results were good or bad, there was no excuse for that wrong which was based upon a mock rebellion and a letter dropped in the Castle of Dublin. There were then 511,456 acres confiscated. It was said that the rights of Irishmen were then respected. Why then were but 7,437 acres given to Irishmen, and the rest to adventurers from England? Such an incident as that was neither a justification nor a precedent for the plantation of Connaught. The noble Lord at the head of the Government had said that the poor-law had worked well in many parts of Ireland. But comparing the anticipations formed of that measure with the results, the latter would not be found to be very favourable. A Commission was appointed to consider and report upon the working of the amended poor-law. Of those who gave testimony, Mr. Cornewall Lewis had said that the system of outdoor relief would be found to prove most ruinous; Mr. Senior expressed the same opinion. Mr. Gulston had stated that anything approaching to outdoor relief in Ireland had an injurious effect; and Mr. Twisleton echoed this opinion. In 1846 the noble Lord had stated that he thought a poor-law of the kind would aggravate the poverty of Ireland, and this had now proved to be the case, for property was now crumbling under the operation of this measure. With respect to the sources from which this money was to be derived, how could districts like Scariff, in which the rates were 20*s.* in the pound, bear an additional tax? He was perfectly convinced there was but one remedy for Ireland, and that was a sweeping alteration in the poor-laws. The country could not go on with the present expensive system, and until it should have been altered totally, all these grants of money would be of no avail in effecting permanent good. The Government had determined that the work done by the poor should not be reproductive, and until they adopted the system of productive labour, these grants would be entirely useless. Another point to be kept in view, in reference to this question, was the attendant expense. The returns for the last half-year showed, out of an expenditure of 700,000*l.* odd, a charge of 189,000*l.* for staff and other expenses consequent on the present system. [" Divide, divide ! "] He had intended to present a few details to the House in support of his views; but seeing the evident desire on the part of the House to bring the debate to a termination, he would conclude by expressing his conviction that the proposed measure would prove most injurious to Ireland, and that the Irish Members had nothing left but to look to themselves if they wished to escape from their present prostrate condition.

Mr. MUNTZ rose amidst cries of " Divide !" and for some time the hon. Member could not get a hearing; at length he joined in the cry, and said, "Divide, divide !" Yes, Sir, it is all very fine to cry, " Divide, divide !" but if we vote for the measure of the noble Lord we shall divide our property with the Irish, and never see it again, for what was the plan but another grant like the last under a new name; and he wished to know out of what fund these continued grants for Irish distress were to be repaid? Some of the Irish grants had not been repaid. Would this be repaid ? Before they agreed to these grants, they ought to take into consideration the present condition of England. Were they to be for ever called upon to pay, pay, pay away the public monies to Ireland without any comprehensive measure being propounded to prevent the distress which those payments were intended to relieve ? In 1846 he ventured to ask Her Majesty's Government what was the reason that there were millions of acres of land uncultivated in Ireland, whilst millions of the Irish people were unemployed ? That question remained still to be answered, and Ireland still remained wretched, and was likely to sink deeper and deeper every year. What now was the reason that countless loads of produce were poured into England from all parts of the world, while Ireland remained uncultivated ? Why did not that produce come from Ireland ? Could not she produce what England wanted ? Would nobody answer those questions ? Some hon. Gentleman said, that the cause of the present distress in Ireland was the potato rot; that had been for three years the assigned cause; but what said the reports from Ireland ? The report read by the right hon. Baronet the Member for Tamworth on the previous night said, that even if the potatoes were fully restored, Ireland would be still in misery. That report also said, that it was not bog or waste but good land that was not cultivated. Well, then, what was the cause of all this ? The Irish said they wanted capital, and no doubt they did; but capital would not go anywhere except there was a certainty of remuneration. But what remuneration could be expected from the employment of capital in Irish agriculture ? The present price of produce held out no hopes of remuneration for the employment of capital in Ireland; and was it likely to improve, or the contrary ? The right hon. Baronet, in proposing his plan for the relief of Ireland, said he quite despaired of that country. Now, that was the first time that the right hon. Baronet did despair of the state of Ireland. [*A laugh.*] The right hon. Baronet might laugh; but he doubted whether those laughed who received no rent for their land, or those who obtained no victuals. But he (the right hon. Baronet) had proposed an extraordinary plan of relief. He had suggested that the Government should interfere with the right of property—that the Government should, in fact, force the owners of property in a certain portion of Ireland to part with its possession; and having so got possession of it, should dispose of it to other parties. There was an old saying, that anybody might take a horse to water; but could you make him drink ? The Government might take possession of this land; but who would buy it from them ? He doubted very much whether they would find any purchasers. For his own part, he would not have land in Ireland if they made him a present of it, binding him to hold it and pay its liabilities. Ireland was poor, because she had no commerce; she depended entirely on the sale of her agricultural produce. During the last thirty years she had sent that produce to the protected markets of this country. It was a notorious fact, that for the last thirty years the average price of wheat was 60*s.*, and even with wheat at that price Ireland with difficulty crawled on; but now, when wheat was at 40*s.*, what was to become of her ? Was there anybody in that House clever enough to answer that question ? Every individual, if it were his own case, would be able to answer. An hon. Gentleman who had spoken that night had attributed the evils of Ireland to its reduced state of monetary circulation. It had fallen, he said, from 9,000,000*l.* to 5,000,000*l.* But if prices were low, so also must the circulation be low; it was a natural consequence. When he stated some facts the other night—and they were facts he defied any one to contradict—as to the utter impossibility of this country, under present circumstances, competing with the produce of foreigners—he was said to have made a protection speech. He denied that it was a protection speech; he said nothing in favour of protection. He had merely stated facts, on which other men had put their own constructions. He not only denied that he had said anything in favour of protection, but he had always disclaimed the sort of protection advocated by the agricultural Members. Those hon. Gentlemen talked of the corn laws giving them permanent protection; where was their "permanent protection" in 1822 and 1835? Did not they, even with their system of protection in full force, call for a Committee on agricultural distress? Did they call that "permanent protection?" He was an advocate of universal, not individual, protection. He was an enemy to that sort of protection which protected a few at the expense of the many—which fed the few while the many starved. He was in favour of such universal protection as would protect the industry and labour of the united kingdom against the cheap labour of foreigners; such universal protection alone was justifiable, and the time was come when that sort of protection ought to be afforded to the people of this country. Until that protection was given, he would not give a farthing for land in Ireland. And now he asked them how long it would be before England was in the same condition? Some years ago he ventured to say that the handwriting was upon the wall—that coming events cast their shadows before them—that their estates would be taken from them and given to others—and that was the state of things now. They had now got their free trade, and he would tell them that free trade upon sound principles was an excellent system. But he denied that the country was in a condition to act upon free-trade principles. The present system was calculated to bring general ruin, not only upon Ireland but upon England also, unless other legislation accompanied free trade. With respect to the vote immediately before the House, he believed that it was an unjust proposition. As he was of opinion that all poor-rates ought to be national, he would vote for the Amendment, which inclined to that opinion, and was, at all events, much more just than the proposition of Her Majesty's Government.

Mr. MOORE was prepared to support the measure, not because he thought it the best measure which could be proposed, or because he thought it even a good measure. It might be the worst possible measure which could be devised, but still it was the only measure which had been proposed for the relief of a starving population. In 1847, when Ministers came forward with a proposition, they all remembered the conduct of a noble Lord whose loss they all deplored. He did not content himself, like those who opposed the rate in aid, with cavilling at the proposals of others, but himself propounded substantial measures for the relief of a starving people. He stood there as the representative of a large class of helpless creatures, who had no hope but in God's mercy; and in the discharge of that duty which he had thus taken upon himself, he called upon the House of Commons to stand between the perishing people and those who boldly and unscrupulously contemplated their destruction. There was a meeting of some of the Irish Members a few days ago, when they agreed to a resolution condemnatory of the proposed tax, on the ground that it was unjust in principle, and would prove injurious in its operation; and they declared their determination to oppose its enactment by every means which the constitution allowed. In this same resolution there was not one word mentioned in regard to the distress of the suffering people. These same Irish Members had also a meeting in the year 1847, at the Rotunda in Dublin, when they agreed to a resolution declaring that, before and beyond all other considerations, was the salvation of the lives of the starving people, and in calling upon the Government as their most solemn duty to adopt such measures as would effectually afford the necessary supply of food to keep the people alive whatever amount of money might be sacrificed to attain such an end. He quoted these two resolutions for the purpose of contrasting the spirit that characterised each of them, and of showing the peculiar consistency that marked their proceedings. He should give his hearty support to the proposition of the noble Lord.

Mr. ST. GEORGE said, that although he represented Galway, he felt that he could not support the proposition of the First Lord of the Treasury. He thought that the Government should be prepared with a measure of a different character altogether. It was, in his opinion, most unjust to visit the misfortunes with which one portion of Ireland was afflicted upon the other portion, where, in consequence of the adoption of a better system of management, these evils had been avoided. He demanded that the whole property of the country should be rated to the poor.

Lord J. RUSSELL said: I will not, at this late hour (half-past Twelve), trouble the House with many observations, but there were some remarks made by the noble Earl the Member for Falkirk, bearing immediately on the point at issue, which, I think, require some explanation on my part. Let me say, in the first place, that I think the great majority of this House have decided on two points: one, that there ought to be some aid given to the distressed, starving people in the western unions of Ireland; and, secondly, that that aid ought to come, not from the Treasury of the united kingdom, but from some tax in aid from Ireland. The question, therefore, remains whether that shall be done in one of two ways; one would be by raising the taxes of Ireland with respect to those imposts which are not now imposed on that country, and then to vote the produce, whatever it might be, arising from such additional taxation. The other would be to have a special tax or rate for the purpose. The noble Earl says I propose this rate as an equivalent for a tax to which Ireland is not now subject. I certainly did not mean to state it, and I therefore wish to say, if I expressed myself obscurely before, that I did not propose it as any equivalent for any tax not now imposed on Ireland; but, as I have stated, as you must take one of these two courses, the rate I proposed, besides having other advantages, has this advantage, or it is thought to be an advantage in the eyes of all Irish Members, that the raising the taxation of Ireland to a level with that of England would impose a much heavier tax on Ireland than I propose, and that this rate would therefore be a lighter burden. The noble Earl argues, however, that besides other defects which other hon. Members have pointed out in the proposition I have made, there is one consideration which he seems to think is almost fatal, and that is the imperfection of the valuation. Now, Mr. Griffith, before he gave his evidence in Committee, prepared a paper which is almost identical with that to which the noble Earl referred, and so far from proving that the poor-law valuation is defective, although all general valuations must be so to some extent, he speaks of the townland valuation going upon a principle which is not the principle usually adhered to, and which I think a correct one in valuation. He says he made no reference to local rents, and in the next place that he reckoned what was the nature of the land—what was the market price of produce at the nearest market, and then he reckoned what that land would be worth. He says—and here are evidently two sources of error—that he did not make any reference to local rents or the taxes upon the land, or what land with a house upon it might let for to-morrow, and a hundred persons would be ready to take it; but that, because he did not consider that a correct valuation, he would not, and reckoned it according to an arbitrary test of his own. Again, he says he took the valuation of price at a mistaken estimate, and 6*s*. 8*d*. in the pound below what it ought to have been. So that it appears to me, that without proving the poor-law valuation to be incorrect, he only proves that his own valuation is capricious. With respect to the poor-law valuation, it is undoubtedly true, as he stated, that two different valuations are adopted in different parts of the country, and that in some parts the valuation has been made lower than in others; but, so far as I have compared it with the townland valuation, it proves that both in the north and west of Ireland the poor-law valuation works very well. Certainly, as regards the valuation of land with houses on it, his authority does not go against it. Then the noble Earl objects to this rate in aid, because it will be a burden on an interest already exceedingly burdened. No doubt that is the case, but at the same time it is property which both in England and Ireland has been made by law subject to the support of the poor. There is, however, the further question, whether it is proper to obtain this sum by any such rate, or by a property and income tax. The noble Earl says, if we were to obtain it by a property and income tax, we should obtain it much sooner. But the noble Earl does not remember that the property tax, if levied in Ireland, would not mean that in April next the tax would be payable, but that only from that time property would be liable to it; therefore only in October would it be payable, and according to the practice of England, at least, this sum would not be received in the

Exchequer until January. But then there is this difficulty, which I stated at the commencement of the debate, that if you were to impose a property and income tax it would require a considerable time and arrangement before it could be brought into action, and it would be impossible for any one to say what would be the probable produce. If the noble Earl should succeed in his wish, and if, on the proposition of the hon. Gentleman, a representative of Ireland, the House should say they thought it fit that Ireland should be subject, from this time, to an income and property tax, I shall be very ready to bow to their decision; only warning him, that if he thinks this temporary tax for two years may very possibly be continued, the property and income tax, so far from being possibly continued, would be certainly continued. At this late hour of the night I will not enter into the proposition raised by the speech of the right hon. Baronet the Member for Tamworth, which I heard with great interest. If that question came into consideration under the vote we have now to give, I should certainly make some observations upon it. I will only say now, it is not from want of consideration that I omit to notice it. The right hon. Baronet, from his great talent and experience, proposing any scheme by which he thinks the greater part of Ireland might be rendered more prosperous and more likely to maintain its inhabitants for the future, deserves from this House the highest respect. I will not say with regard to his plan that I think the circumstances of the present time similar to those in which the settlement of Ulster in the time of James I. took place. They appear to me to be different; but whether the application of a similar policy now would be likely to answer the same purpose is a question I do not wish to enter into, but only to notice it, to show that I am not insensible to the value of any proposition which the right hon. Baronet makes to this House. I leave the question to the House. I explained in my opening speech what I thought were the grounds for this proposition of a rate in aid. If we carry it, we shall have obtained the means of sustaining the starving people of Ireland. If the noble Earl succeeds in his proposition, those hon. Members who are in favour of an income tax in Ireland will have the satisfaction of seeing their object attained.

The Committee divided on the Question, "That the words proposed to be left out stand part of the question:"—Ayes 237; Noes 164: Majority 73.

List of the Ayes.

Abdy, T. N.
Adair, R. A. S.
Anson, hon. Col.
Anson, Visct.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Ashley, Lord
Bagshaw, J.
Baines, M. T.
Baring, rt. hn. Sir F. T.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Birch, Sir T. B.
Blandford, Marq. of
Boyle, hon. Col.
Brackley, Visct.
Bright, J.
Brockman, E. D.
Brotherton, J.
Brown, H.
Brown, W.
Browne, R. D.
Bruce, Lord E.
Bulkeley, Sir R. B. W.
Bunbury, E. H.
Butler, P. S.
Buxton, Sir E. N.
Cardwell, E.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Chaplin, W. J.
Charteris, hon. F.
Clay, J.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Cobden, R.
Cockburn, A. J. E.
Copeland, Ald.
Cowper, hon. W. F.
Craig, W. G.
Crowder, R. B.
Currie, R.
Dashwood, G. H.
Davie, Sir H. R. F.
Dawson, hon. T. V.
D'Eyncourt, rt. hn. C. T.
Douglas, Sir C. E.
Douro, Marq. of
Drummond, H.
Duckworth, Sir J. T. B.
Duff, G. S.
Duncan, Visct.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Ebrington, Visct.
Ellice, E.
Ellis, J.
Elliot, hon. J. E.
Enfield, Visct.
Euston, Earl of
Evans, W.
Ewart, W.
Fagan, W.
Fergus, J.
Ferguson, Col.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Freestun, Col.
Glyn, G. C.
Goddard, A. L.
Graham, rt hon. Sir J.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Earl
Guest, Sir J.
Hallyburton, Ld. J. F. G.
Harcourt, G. G.
Harris, R.
Hastie, A.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, rt. hon. W. G.
Heneage, G. H. W.
Henry, A.
Heyworth, L.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. T.
Hogg, Sir J. W.
Hollond, R.
Hope, Sir J.
Hope, H. T.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Howard, P. H.
Hume, J.
Jackson, W.
Jervis, Sir J.
Keating, R.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Littleton, hon. E. R.
Loch, J.
Locke, J.
Lushington, C.
Mackinnon, W. A.
M'Cullagh, W. T.
M'Gregor, J.
Mahon, The O'Gorman
Maitland, T.
Mangles, R. D.
Marshall, W.
Martin, C. W.
Masterman, J.
Matheson, A.
Matheson, Col.
Melgund, Visct.
Milner, W. M. E.

Milnes, R. M.
Mitchell, T. A.
Moore, G. H.
Morison, Sir W.
Morris, D.
Mowatt, F.
Mulgrave, Earl of
Norreys, Lord
Norreys, Sir D. J.
O'Connell, J.
Ogle, S. C. H.
Ord, W.
Oswald, A.
Owen, Sir J.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pechell, Capt.
Peel, rt. hon. Sir R.
Peel, Col.
Peel, F.
Perfect, R.
Philips, Sir G. R.
Pigott, F.
Pilkington, J.
Pinney, W.
Plowden, W. H. C.
Power, N.
Powlett, Lord W.
Price, Sir R.
Pryse, P.
Reid, Col.
Reynolds, J.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Roche, E. B.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Salwey, Col.
Sandars, G.
Sandars, G.
Scholefield, W.
Seaham, Visct.
Seymer, H. K.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Sheridan, R. B.
Shirley, E. J.
Smith, rt. hon. R. V.
Smith, M. T.
Smith, J. B.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, Lord J.
Talbot, C. R. M.
Tancred, H. W.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornley, T.
Tollemache, hon. F. J.
Towneley, J.
Townley, R. G.
Townshend, Capt.
Trelawny, J. S.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Villiers, hon. C.
Walmsley, Sir J.
Walter, J.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Wellesley, Lord C.
Westhead, J. P.
Wilcox, B. M.
Williams, J.
Willyams, H.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Adair, H. E.
Adare, Visct.
Adderley, C. B.
Alexander, N.
Archdall, Capt. M.
Arkwright, G.
Bagge, W.
Bankes, G.
Baring, T.
Barrington, Visct.
Barron, Sir H. W.
Bennet, P.
Beresford, W.
Bernard, Visct.
Blake, M. J.
Boldero, H. G.
Bourke, R. S.
Bowles, Adm.
Bremridge, R.
Brisco, M.
Broadley, H.
Brooke, Lord
Brooke, Sir A. B.
Bruce, C. L. C.
Buller, Sir J. Y.
Bunbury, W. M.
Burghley, Lord
Burroughes, H. N.
Callaghan, D.
Campbell, hon. W. F.
Carew, W. H. P.
Castlereagh, Visct.
Caulfeild, J. M.
Cayley, E. S.
Chandos, Marq. of
Chichester, Lord J. L.
Christy, S.
Clements, hon. C. S.
Clive, H. B.
Cobbold, J. C.
Cocks, T. S.
Cole, hon. H. A.
Coles, H. B.
Conolly, T.
Corry, rt. hon. H. L.
Cotton, hon. W. H. S.
Davies, D. A. S.
Dod, J. W.
Dodd, G.
Drumlanrig, Visct.
Dundas, G.
Du Pre, C. G.
Edwards, H.
Fagan, J.
Ferguson, Sir R. A.
Fitzwilliam, hon. G. W.
Forester, hon. G. C. W.
Fortescue, C.
Fox, R. M.
Fox, S. W. L.
Frewen, C. H.
Fuller, A. E.
Galway, Visct.
Gaskell, J. M.
Gladstone, rt. hn. W. E.
Gore, W. R. O.
Goulburn, rt. hon. H.
Grace, O. D. J.
Greene, J.
Gwyn, H.
Haggitt, F. R.
Halford, Sir H.
Hamilton, G. A.
Hamilton, J. H.
Harris, hon. Capt.
Hayes, Sir E.
Henley, J. W.
Herbert, H. A.
Herbert, rt. hon. S.
Herries, rt. hon. J. C.
Hervey, Lord A.
Hill, Lord E.
Hood, Sir A.
Horsman, E.
Howard, Sir R.
Jermyn, Earl
Jocelyn, Visct.
Jones, Capt.
Ker, R.
Knight, F. W.
Lennard, T. B.
Lennox, Lord H. G.
Leslie, C. P.
Lewisham, Visct.
Lincoln, Earl of
Lindsay, hon. Col.
Lockhart, W.
Lopes, Sir R.
Mackenzie, W. F.
Macnaghten, Sir E.
Macnamara, Maj.
Meagher, T.
Mahon, Visct.
Mandeville, Visct.
March, Earl of
Maunsell, T. P.
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Milton, Visct.
Monsell, W.
Moody, C. A.
Morgan, H. K. G.
Morgan, O.
Mullings, J. R.
Muntz, G. F.
Napier, J.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Newry and Morne, Visct.
Nugent, Sir B.
O'Brien, Sir L.
O'Connell, M. J.
O'Connor, F.
O'Flaherty, A
Packe, C. W.
Pigot, Sir R.
Plumptre, J. P.
Repton, G. W. J.
Richards, R.
St. George, C.
Scott, hon. F.
Scrope, G. P.
Scully, F.
Simeon, J.
Smyth, J. G.
Spooner, R.
Stafford, A.
Stanley, E.
Stuart, H.
Stuart, J.
Sullivan, M.
Sutton, J. H. M.
Talbot, J. H.
Taylor, T. E.
Tenison, E. K.
Thesiger, Sir F.
Thompson, Ald.
Trevor, hon. G. R.
Turner, G. J.
Tyrell, Sir J. T.
Verner, Sir W.
Vesey, hon. T.
Vivian, J. E.
Vyse, R. H. R. H.
Waddington, H. S.
Walpole, S. H.
Walsh, Sir J. B.
West, F. R.
Wodehouse, E.
Wortley, rt. hon. J. S.
Young, Sir J.

TELLERS.

Blackall, Maj.
Grogan, E.

MR. REYNOLDS then rose and proposed a resolution to the effect that annuities, salaries, rent charges, &c., should be chargeable for the rate. He thought it only just and reasonable that the fund for the relief of the destitute in Ireland should be augmented by extending the rate to these sources of income. It was only right that Ireland should have the benefit of the

3 per cent income tax paid into the Consolidated Fund from incomes derived from property in that country. When Ireland was thrown on her own resources it was but just to give her the benefit of all these resources. The hon. Member for Lancashire struck a balance of 200,000,000*l.* against Ireland. If he (Mr. Reynolds) were to enter upon the calculation of the national accounts between the two countries he might strike it the other way. But admitting that the figures were correct, and that they owed this 200,000,000*l.*, be doubted whether it would ever be paid. He ought to have said that he had no doubt at all on the subject, unless they happened to be made a present of an electoral division in California.

The CHAIRMAN asked the hon. Member whether he proposed to move his Amendment as a substantive Motion, or as an addition to the original Motion to which the House had just agreed.

MR. REYNOLDS: I intended it to be added to the resolution. ["No, no!"]

The CHAIRMAN: Does the hon. Gentleman mean it to be added to the resolution?

MR. REYNOLDS: Whichever is most consistent.

LORD J. RUSSELL thought it would be better to take the original resolution as it stood. Afterwards the hon. Gentleman might move to impose the tax on other kinds of property.

The CHAIRMAN: Would the hon. Member consent to have his proposition put in that way?

MR. E. B. ROCHE would suggest to his hon. Friend to put his Amendment as a separate resolution, because he (Mr. Roche), being anxious to vote for the original resolution, and also for that of his hon. Friend, would not otherwise be able to do so. They were, in fact, two separate and distinct resolutions, and ought to be put separately and distinctly. It might suit hon. Members opposite to refuse relief to the people of Ireland by confusing these two propositions; but he would first ask his hon. Friend to vote in favour of a rate in aid as proposed by the Government, and then, if he thought that rate could be improved by his own resolution, to put that resolution to the House.

MR. SPOONER indignantly repudiated the statement of the hon. Member who had just spoken, that his side of the House wished to refuse aid to Ireland; and he hoped that the hon. Member for Dublin would insist on his right to put his resolution in the shape of an addition to the original resolution. He (Mr. Spooner) should vote against the original resolution if put by itself, but for it, if this addition were made to it. He trusted, then, that the hon. Member would assert his right, and prove his sincerity, by adding his proposition to the original resolution.

MR. STAFFORD here observed, that they had divided on the question "that the Speaker leave the chair," had spent two nights besides on this question, and had, that night, been defeated on the main question by a large majority. Therefore, whilst he would not abandon his opposition to the Bill to be founded on the resolution that had been passed, he did, nevertheless, think it more respectful to the House, and but due to the Government, not to take any further part on that occasion in opposition to the original proposition.

MR. REYNOLDS assured the hon. Member for Warwickshire that there was no necessity for him to call upon him to prove his sincerity, for he would not propose any Motion in that House, and particularly at so late an hour, about which he was not perfectly sincere. He begged to move that the words he had proposed, therefore, be added to the original resolution.

Another Amendment proposed, at the end of the Question to add the words—

"That for the purpose of augmenting the fund proposed to be raised by a rate in aid of sixpence in the pound from all property rated to the relief of the destitute poor in Ireland for the next two years, the same rate should be charged upon all salaries paid to Government officers, being not less than 150*l.* per annum, and upon all income derived from the public funds, and that all monies derived from the tax at present collected in England on income derived from Ireland, be for the next two years applied to the same fund."

Question put, "That those words be there added." The Committee divided:—Ayes 51; Noes 212: Majority 161.

List of the AYES.

Barron, Sir H. W.
Bennet, P.
Bunbury, W. M.
Burroughes, W. M.
Callaghan, D.
Chaplin, W. J.
Christy, S.
Clements, hon. C. S.
Cobbold, J. C.
Dod, J. W.
Dodd, G.
Duncan, Visct.
Fagan, W.
Fitzpatrick, rt. hon. J. W.
Fox, R. M.
Gore, W. R. O.
Grace, O. D. J.
Greene, J.
Harris, hon. Capt.
Hayes, Sir E.
Henley, J. W.
Hervey, Lord A.
Hood, Sir A.
Jocelyn, Visct.
Keating, R.
Lindsay, hon. Col.
Miles, P. W. S.
Miles, W.

Moore, G. H.
Morgan, H. K. G.
Muntz, G. F.
Newdegate, C. N.
Newry and Morne, Visct.
Nugent, Sir P.
O'Connell, M. J.
O'Connor, F.
O'Flaherty, A.
Packe, C. W.
Phillips, Sir G. R.
Power, N.
Roche, E. B.
Scott, hon. F.
Scully, F.
Sullivan, M.
Tenison, E. T.
Tollemache, hon. F. J.
Trevor, hon. G. R.
Tyrell, Sir J. T.
Wawn, J. T.
Wodehouse, E.
Wortley, rt. hon. J. S.

TELLERS.

Reynolds, J.
Spooner, R.

List of the NOES.

Abdy, T. N.
Adair, R. A. S.
Anson, hon. Col.
Anson, Visct.
Armstrong, R. B.
Arundel and Surrey, Earl of
Ashley, Lord
Bagshaw, J.
Baines, M. T.
Baring, rt. hon. Sir F. T.
Baring, T.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Birch, Sir T. B.
Blake, M. J.
Bowles, Adm.
Boyle, hon. Col.
Brackley, Visct.
Bright, J.
Brockman, E. D.
Brotherton, J.
Brown, H.
Brown, W.
Browne, R. D.
Bulkeley, Sir R. B. W.
Bunbury, E. H.
Butler, P. S.
Buxton, Sir E. N.
Campbell, hon. W. F.
Cardwell, E.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cayley, E. S.
Charteris, hon. F.
Clay, J.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Cobden, R.
Cockburn, A. J. E.
Copeland, Ald.
Cowper, hon. W. F.
Craig, W. G.
Crowder, R. B.
Currie, R.
Dashwood, G. H.
Davie, Sir H. R. F.
D'Eyncourt, rt. hon. C. T.
Douglas, Sir C. E.
Douro, Marq. of
Duckworth, Sir J. T. B.
Duff, G. S.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Edwards, H.
Ellice, E.
Ellis, J.
Elliot, hon. J. E.
Enfield, Visct.
Euston, Earl of
Evans, W.
Ewart, W.
Fergus, J.
Ferguson, Col.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Freestun, Col.
Glyn, G. C.
Goddard, A. L.
Graham, rt. hon. Sir J.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Earl
Guest, Sir J.
Hallyburton, Lord J. F.
Harris, R.
Hastie, A.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, rt. hon. W. G.
Heneage, G. H. W.
Henry, A.
Heyworth, L.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. T.
Hogg, Sir J. W.
Hollond, R.
Hope, Sir J.
Hope, H. T.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Howard, P. H.
Hume, J.
Jackson, W.
Jermyn, Earl
Jervis, Sir J.
Jones, Capt.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennard, T. B.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Littleton, hon. E. R.
Loch, J.
M'Cullagh, W. T.
M'Gregor, J.
Mahon, The O'Gorman
Maitland, T.
Mangles, R. D.
Marshall, W.
Martin, C. W.
Masterman, J.
Matheson, A.
Matheson, Col.
Melgund, Visct.
Milner, W. M. E.
Milnes, R. M.
Mitchell, T. A.
Morris, D.
Mowatt, F.
Mulgrave, Earl of
Norreys, Sir D. J.
Ogle, S. C. H.
Owen, Sir J.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pechell, Capt.
Peel, rt. hon. Sir R.
Peel, Col.
Peel, F.
Pigott, F.
Pilkington, J.
Pinney, W.
Plowden, W. H. C.
Price, Sir R.
Pryse, P.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Salwey, Col.
Sandars, G.
Sandars, J.
Scholefield, W.
Seymer, H. K.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Smith, rt. hon. R. V.
Smith, M. T.
Smith, J. B.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stansfield, W. R. C.
Stanton, W. H.
Stuart, Lord D.
Stuart, Lord J.
Talbot, C. R. M.
Tancred, H. W.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Towneley, J.
Townley, R. G.
Townshend, Capt.
Trelawny, J. S.
Turner, G. J.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Walmsley, Sir J.
Ward, H. G.
Watkins, Col. L.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Willyams, H.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.
Wyvill, M.
Young, Sir J.

TELLERS.

Tufnell, H.
Hill, Lord M.

Main Question put. The Committee divided:—Ayes 206; Noes 34: Majority 172.

List of the AYES.

Abdy, T. N.
Adair, R. A. S.
Anson, hon. Col.
Anson, Visct.
Armstrong, R. B.
Arundel and Surrey, Earl of
Ashley, Lord
Bagshaw, J.
Baines, M. T.
Baring, rt. hon. Sir F. T.
Baring, T.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, C. L. G.
Birch, Sir T. B.
Boyle, hon. Col.
Brackley, Visct.
Bright, J.
Brockman, E. D.
Brotherton, J.
Brown, W.
Bunbury, E. H.
Butler, P. S.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Charteris, hon. F.
Clay, J.
Clay, Sir W.

Clerk, rt. hon. Sir G.
Cobden, R.
Cockburn, A. J. E.
Copeland, Ald.
Cowper, hon. W. F.
Craig, W. G.
Crowder, R. B.
Currie, R.
Dashwood, G. H.
Davie, Sir H. R. F.
D'Eyncourt, rt. hon. C.
Dodd, J. W.
Douglas, Sir C. E.
Douro, Marq. of
Duckworth, Sir J. T. B.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Edwards, H.
Ellice, E.
Ellis, J.
Elliot, hon. J. E.
Euston, Earl of
Evans, W.
Fagan, W.
Fergus, J.
Ferguson, Col.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Freestun, Col.
Glyn, G. C.
Goddard, A. L.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Earl
Hallyburton, Lord J. F.
Harris, R.
Hastie, A.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, rt. hon. W. G.
Heneage, G. H. W.
Henley, J. W.
Henry, A.
Heyworth, L.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. T.
Hogg, Sir J. W.
Hollond, R.
Hope, H. T.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Howard, P. H.
Jackson, W.
Jermyn, Earl
Jervis, Sir J.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lindsay, hon. Col.
Littleton, hon. E. R.
M'Cullagh, W. T.
M'Gregor, J.
Mahon, The O'Gorman
Maitland, T.
Mangles, R. D.
Marshall, W.
Martin, C. W.
Masterman, J.
Matheson, A.
Matheson, Col.
Melgund, Visct.
Milner, W. M. E.
Milnes, R. M.
Mitchell, T. A.
Moore, G. H.
Morris, D.
Mowatt, F.
Mulgrave, Earl of
Norreys, Sir D. J.
O'Connell, M. J.
O'Connor, F.
Ogle, S. C. H.
Owen, Sir J.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pechell, Capt.
Peel, rt. hon. Sir R.
Peel, Col.
Peel, F.
Pigott, F.
Pilkington, J.
Pinney, W.
Plowden, W. H. C.
Power, N.
Price, Sir R.
Pryse, P.
Reynolds, J.
Ricardo, O.
Rice, E. R.
Rich, H.
Roche, E. B.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Salwey, Col.
Sandars, G.
Sandars, J.
Scholefield, W.
Seymer, H. K.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Smith, M. T.
Smith, J. B.
Somerville, rt. hon. Sir W.
Spearman, H. J.
Stansfield, W. R. C.
Stanton, W. H.
Stuart, Lord D.
Stuart, Lord J.
Talbot, C. R. M.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Tollemache, hon. F. J.
Towneley, J.
Townshend, Capt.
Trelawny, J. S.
Turner, G. J.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Villiers, hon. C.
Walmsley, Sir J.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Wellesley, Lord C.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Willyams, H.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.
Wyvill, M.

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the NOES.

Archdall, Capt. M.
Bagge, W.
Barron, Sir H. W.
Bennet, P.
Blake, M. J.
Bunbury, W. M.
Callaghan, D.
Caulfeild, J. M.
Clements, hon. C. S.
Crawford, W. S.
Dawson, hon. T. V.
Dodd, G.
Fagan, J.
Ferguson, Sir R. A.
FitzPatrick, rt. hon. J.
Gore, W. R. O.
Greene, J.
Gwyn, H.
Hamilton, G. A.
Hayes, Sir E.
Howard, Sir R.
Jocelyn, Visct.
Keating, R.
Lennard, T. B.
Miles, P. W. S.
Newry and Morne, Visc.
Nugent, Sir P.
O'Flaherty, A.
St. George, C.
Scully, F.
Simeon, J.
Sullivan, M.
Tenison, E. K.
Tennent, R. J.

TELLERS.
Fox, R. M.
Dunne, Col.

Resolution to be reported.

House resumed.

The House adjourned at a quarter before Two o'clock.

HOUSE OF COMMONS,

Wednesday, March 7, 1849.

MINUTES.] NEW WRIT. For Derby County (Southern Division), *v.* Edward Miller Mundy, Esq. Deceased.

PUBLIC BILLS.—2° Real Property; Affirmation; Life Policies of Assurance.

PETITIONS PRESENTED. By Mr. Bright, from Ramsgate, for the Abolition of Church Rates.—By Mr. Philip Miles, from the Parish of Downe, in the County of Kent, and by other Hon. Members, from a Number of Places, against the Marriages Bill.—By Mr. Cornewall Lewis, from Bromyard, Hereford, for a Repeal of the Duty on Attorneys' Certificates.—By Viscount Barrington, from the Great Western Railway Company, respecting the Taxation on Railways.—By Mr. Mullings, from the Parish of Cirencester, for Rating Owners in lieu of Occupiers of Tenements.—By Mr. Thornely, from the Township of Willenhall, in the County of Stafford, for an Alteration of the Law respecting Copyholds.—By Mr. Miles, from the Clergy of the Church of England, for an Alteration of the Law respecting Education.—By Mr. Brockman, from the Borough of Hythe, in the County of Kent, respecting Harbours of Refuge.—By Mr. Pattison, from Charles Chubb and Son, Patent Lock and Fireproof Safe Manufacturers, of St. Paul's Churchyard, London, for Protection from Fraud.—From the Board of Guardians of the Camelford Union, for the Suppression of Mendicancy.—By Mr. Bagge, from Merchants, and Others, of several Ports in England, against, and by Mr. Bright, from the Directors of the Chamber of Commerce at Manchester, in favour of, the Navigation Bill.—By Dr. Boyd, from the Town of Ballymoney, in the County of Antrim, and by other Hon. Members, from several Parts of Ireland, against the Proposed Rate in Aid (Ireland).—By Mr. Forbes, from the Presbytery of Dumbarton, against the Registering Births, &c., and the Marriage (Scotland) Bills.—By Sir Charles Lemon, from Falmouth, for the Suppression of the Slave Trade.—By Mr. Bright, from the Society of Friends, residing in Southampton, and by other Hon. Members, from a Number of Places, for Referring War Disputes to Arbitration.

REAL PROPERTY TRANSFER BILL.

Order for Second Reading read. Motion made, and Question proposed, "That the Bill be now read a second time."

MR. HENRY DRUMMOND:* Mr. Speaker, in the present stage of this measure it is not my intention to address any observations to lawyers. Up to this point it is purely a landowners' question; the lawyers have no interest in it whatever; if the landowners are content with things as they are, the lawyers have no cause to complain. I shall, therefore, address myself to the landowners alone, and endeavour to point out to them the real state of the position in which they stand, and then the method by which it is proposed to extricate them out of their difficulties.

In order to effect this end it is necessary to consider by what means we have got into our present embarrassments, because the same causes which induced them at the first, continue to operate still. I am not stating this to you as my own opinion merely, for that would not be worth your receiving, but I am stating it as a fact, recognised by all who have considered this subject, and I will read as proof of this an extract from the work of an eminent lawyer, addressed to his brethren; to men, therefore, who would immediately detect any mis-statement in the matter, and to whom he would not venture to address as admitted facts observations that he knew they could dispute. He says—

> "I must be permitted to consider land as a commodity, the value of which depends on the rules which govern the value of every other commodity. In a former age we know that it was treated differently. It was considered as a means of affording a defence to the State. It was governed by a different policy. Every piece of land had an armed warrior to maintain its possession for his lord. You may smile at this, but the remnant of this system is in existence at the present moment as a legal fiction. The ideal seisin of land, as it is called, is ever present to the eye of the law, and must not be disturbed for one moment; and many absurd consequences still arise from this state of the law. It is of no great practical consequence; but I mention it to show that we are in the habit of treating land as if it were essentially different from other commodities, when the reason for so considering it has entirely ceased. We make a mystery of it; we blindfold our own eyes in all dealings with it: before we can even talk respecting it correctly, we must learn a new language. We have been, hitherto, taught to consider it as a distinct article to be dealt in by a few, under circumstances not existing in anything else."—(*Stewart's Lectures.*)

In former times the possession of land was held by military service. At the time of the Conquest the whole of the kingdom was divided into about 720 baronies—or honours, as they were sometimes called, amongst the largest of which were those of Clare and Richmond—the owners of which were bound to bring to the King's assistance, when called upon, a certain number of armed retainers. These barons, in their turn, leased out to others portions of the lands on terms similar to those on which they held their own from the Crown. The King would not suffer any alienation of these lands without being assured that the person who was to receive them was also capable of rendering him efficient service; hence fines were levied by him for giving permission to an heir to succeed to his father's inheritance; and when the inheritance came to females, they were compelled to marry as the King pleased, in order that he might be sure that he did not lose by the marriage the services which the owner of the property was bound to render.

Then, as now, however, landowners would run in debt; and when they did so, they borrowed money of the Jews and such few merchants as inhabited the towns; and as now, also, they disliked to pay their debts. The creditors could not seize the lands, because the King would not permit them to be alienated; they, therefore, applied to the Judges, and, although the creditor dared not go to the baron's castle and seize his person, the Judge could order the sheriff to go with his civic guard and seize all the produce growing upon the land. The landowners, therefore, kept the land without enjoying any advantage from it, and the creditor enjoyed all the produce under the name of the *usufruct*. In addition to this mode of running in debt, they devised another, by which, instead of giving a part of their lands to their children, as they did at the beginning, they fell into the habit of giving a right to their wives, younger children, and other relations, to receive annually certain sums from the produce of the land. Hence arose trustees, or persons to whom the whole property was made over in order to pay these charges first, and then to give to the owner the residue that remained. Hence, too, it frequently happened then, as it happens now, that the use and profit of the land was taken from the owner, and nothing was left to him but the empty title of owner and nominal possessor of that over which he had no control, and on which he could exercise no power except the equivocal advantage of the right to kill the wild animals found upon it.

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* From a speech published by Bosworth.

Much of this died out by degrees, partly under the Tudors, finally under the Stuarts; but those who became possessed of property when landowners were empowered to sell, began to ape the customs and manners of the barons, into a sort of fellowship with whom they had become associated; and they, in attempting to establish names and descendants, vainly endeavoured to foresee every possible contingency that could occur to their children and grandchildren, and placed their lands in the hands of trustees in order to carry out their intention towards their descendants. But they neither did nor could foresee all these contingencies—many arose in the development of time; and, consequently, it was necessary to have a court and an officer, whose duty it should be to decide on what would have been the intention of the devisor if he had foreseen the contingency, and also upon the best means of carrying that intention into effect.

The employment of lawyers, then, in real property transactions is in correcting the errors which the follies of landlords have occasioned; and landowners complain most unjustly of the lawyers who are so occupied, whilst they have none but themselves to blame for the whole. The expense of sales is immense, owing to these causes. Before making a sale it is necessary to prove that, with respect to your father, your grandfather, your great-grandfather—and I know not how much farther back — all the settlements that have been made are exhausted, and that every single person who could by possibility become entitled to the property is either dead or disposed of somehow. I have before me a list showing the heavy costs which have arisen in nine cases of sale of small properties, but will trouble the House with reading only one or two of them. There is, first, the case of a property which sold for 12,000*l.*, on which the costs of sale amounted to 200*l.*, or about 17 per cent; another, which sold for 500*l.*, on which the costs amounted to 124*l.*, or 25 per cent; a third, in which the property sold for 150*l.*, and the costs were 50*l.*, or 33 per cent; and a fourth, in which the property sold for 620*l.*, and the costs of sale amounted to 200*l.*, being about 33 per cent also. Every attempt which has been made to diminish the expense of sales under the present system has been futile. People talk of long recitals being the cause of the expense of preparing deeds; but I should be glad to know how they were to predetermine the length of a recital without knowing the nature of the deed. The length of the recital must depend upon the matter to be recited. You cannot expect a boy to recite the whole of *Homer's Iliad* in twenty minutes. Under the present system, therefore, it was hopeless to expect to derive any benefit from shortening recitals. But this is not the worst of it. The owners of property are completely in the hands of solicitors. They know no more about their lands than they do about what is going on in China. They know that there is a box of parchments belonging to them, and that some of those parchments have a bit of red wax tied to them; but that is all they know. Their solicitor brought them a paper to sign, and they signed it; and after putting a seal upon it, they delivered it as their act and deed; but what it contained they knew no more than a blushing bride of the marriage settlement to which she was led forward, covered with a veil, to put her name. Now, I contend that unless you will cut up the whole system by the roots, you will do nothing. What I want to make the country gentlemen understand is this—that it is their business to deliver themselves out of the hands of the solicitors. You are a solicitor-ridden people. It is possible to have the expenses of a court of law taxed; but how can you possibly tax any attorney's bill? It is impossible. Everybody complains of them; the more respectable part of the profession denounce them; but still the evil is unredressed. Complaints are also made of the cost and the length of legal instruments, of conveyances, &c.; but these, too, cannot be curtailed to any great extent, so long as the present system is continued. The landowners must resolve to emancipate themselves; no real and efficient help will ever come from the lawyers any more than has come from the reports of the Committees of the two Houses of Parliament, the labours of

Crown Commissioners, and all other machinery which has hitherto been put in operation. The landlords must not rest satisfied until they have obtained the means of transferring any portion of their lands which they please to sell in as easy and simple a manner as they could transfer stock in the books of the Bank of England.

The principle, then, upon which the House has now to decide is this—first, that there shall be a registration of deeds and lands; and, secondly, that sales shall take place by transfer in the books of the registry just as stock is transferred and sale of it made at the Bank. Every other method but this is futile. Registration, except with the view of making transfers in the books, is merely making a catalogue of deeds, or appointing some building in which they shall be deposited.

Many objections have been made to registries, but they seem all to be summed up by Sir Edward Sugden in his *Vendors and Purchasers*, vol. iii. p. 373, 10th edition.

This being decided, the question that next arises is, "Who is to register?" The country gentleman, in his simplicity, answers, "I, the owner, am to register." Yes, but first you have to prove that you are the owner. An equity lawyer is very like a policeman in this respect; the policeman, when he sees a man in a good coat, thinks that he ought to be "had up" before a magistrate, and made to give an account as to how he came by it; and a Chancery lawyer says to the country gentleman, "Ah! it is very well for you to suppose that those broad acres belong to you, but has your title ever been examined?" Here, then, is the difficulty: if you are to have an examination of all the titles that are to be registered, you may call it by what name you please, but it is, in fact, instituting *quoad hoc* another court of equity. On the other hand, if there be no examination of titles, there is no security against a man entering lands as his which do not belong to him, and effecting a sale of them the next day.

There is great question amongst the lawyers as to the number of titles which are good, as also as to what constitutes a good or bad title. By the kindness of a friend, I have been enabled to peruse a part of the evidence which is about to be published by the Commission that is now sitting, which states the matter very clearly. One of the able Commissioners puts this leading question to a witness, and it will be observed, that in the terms of it, he gives also his own opinion; he says—

> "Knowing very well that there is not such a thing, to my belief, as a strictly marketable title in the kingdom, and knowing that a court of equity will not compel any man to take a title that is not free from doubt, either as to matter of fact or matter of law, we then submit, on the part of the vendor, this abstract of title to counsel, and request him to advise on that title, with a view of stopping all loopholes (if I may use such a term), or any objection that may be taken on the part of the purchaser. Counsel give their opinion. Whatever can be supplied in accordance with that opinion is supplied. What cannot be supplied is matter of consultation again with the counsel; and then conditions of sale are made and approved by the counsel to meet rather than to obviate any such objection," &c.

To this the witness answers—

> "I do not differ with a word of what you state," &c. &c.

Again it is said—

> "The present law is evaded by conditions of sale. The holes in the title are stopped," &c.
>
> "I think the great bulk of the titles in this country are good holding titles, although they are not easily transferred, being unmarketable."
>
> "Sir Edward Sugden says, that out of fifty titles, the fiftieth only is bad, and that the examination of forty-nine is useless."

I do not see how it is possible to compel all owners of land to expose their title-deeds to the view of every one; for there would be hundreds of attornies who would find out the means of stirring up dormant claims which, whether valid or not, would create immense loss to the landowners, and gain to the attornies; and unless some equivalent be afforded to landowners to induce them to make such disclosure, I would certainly advise them not to consent to this Bill.

This, therefore, is a great objection to making the registry compulsory; and another objection, equally strong, is the necessity of having previously in operation an immense machinery. The number of landowners is variously stated by statistical writers from between 80,000 to 280,000; nor is it easy to point out whether copyholds of inheritance and on fine certain, long leaseholders, leaseholders on lives, and many others, are included in either enumeration. In this case the registrar, his office, clerks, and all attendants, books, and schedules, must be prepared and ready for instant operation on the same day when all these deeds shall be brought in to be registered. Now, it is impossible to ascertain beforehand how many books, clerks, &c., shall be required. In Edinburgh, there are sufficient entries to require four hundred folio volumes to be annually filled.

On the other hand, if the registration be voluntary, it gives the opportunity of feeling our way, of commencing with a few books and a small office, and a moderate establishment of clerks, all of which can be enlarged as business increases; and as in Scotland they have both a general and provisional registry, so there may be here first a central registry-office in London, which may be expanded so as to have provincial registers in every county, under the superintendence, however, of the registrar general in London.

I have been compelled to draw this Bill in such a way as that it may be contracted or expanded, because I had to consider, not what was abstractedly right or wrong, nor what I even, with the assistance of others, judged to be best, but to consider to what extent this House was prepared to go, and also to consider my own position in it; since, not being backed by the Government, nor by any party in the House, it was not possible to force anything, and I could only embody so much as the House is already disposed to consent to. I am prepared, therefore, to limit for the present the operation of this Bill to legal estates only, and to wait for others to be put upon the register when the trusts upon them shall expire. I am also willing that there shall be only one registry for the present, and wait till the landowners demand others elsewhere. If, on the other hand, the House is prepared to go further, and not only require all incumbrances to be registered as well as estates, and to curtail for the future the power of devisors to lock up indefinitely their lands, it is easy to add clauses that will allow of this also.

At the same time I ought in fairness to add, that I think the best plan would be to register only legal estates, and to refuse all conditional trusts whatever. I do not believe that any substantial injustice would be done if you were to pass a declaratory Act, enacting that all present holders of lands, in the profits and rents of which they have been in the undisturbed possession for a certain number of years, should not have their titles disputed from this time; you would do substantial justice in ninety-nine out of every hundred cases, although I admit that one out of every hundred might be defrauded. I think also that it would be a great advantage to curtail still farther the power of entailing, and not to suffer any person to tie up his lands for the benefit of more persons than those that are alive at the date of his making the devise.

Some people, when they cannot find out an objection to a measure itself, which is plain before their eyes, think that they have sagacity sufficient to see into indiscernible things, and to divine the motives which have actuated the authors. For the benefit of such persons, it may be as well to observe, that I can have no personal motive in the success of this measure, because I cannot be benefited or injured by its becoming law, since all the property I have is in settlement, and I have only a life interest in it. My object in bringing forward this measure is to endeavour to enhance the value of landed property, and to enable landed proprietors more easily to effect sales of small portions of the same, in order to liberate them out of their difficulties, and to give them facilities for investing more capital in the cultivation of their lands. In uncivilised countries land is the only possible property, for all other is insecure; in civilised countries it must always possess more value than any other. Landowners have an influence in the neighbourhoods where they reside, especially where their possessions are hereditary, which no other capitalists possess; and hence the jealousy of them by upstarts of every degree: but land ought to have no legal immunities superadded to its intrinsic advantages, and its sale ought to be as free, and its transfer as easy, as that of any other commodity.

The SOLICITOR GENERAL could assure the hon. Member for Surrey that he would not find amongst the present profession of lawyers one gentleman who would deny the evils of which he complained, or who did not agree with him as to the great importance of so simplifying the transfer of land that it could be made over with as much ease as if it were so much stock. On his own behalf, as well as on that of those gentlemen, members of his own profession, with whom he was in the habit of conversing, he could assure the hon. Member, that the strongest desire was entertained to bring about that simplification. The only difference of opinion between the hon. Member and those gentlemen to whom he (the Solicitor General) referred, was as to the manner in which the proposed changes could be best carried into effect. When the hon. Gentleman introduced this Bill, he (the Solicitor General) had come to the examination of it with the strongest wish to find in it a remedy for the state of things now existing—with the strongest desire to aid in carrying it into effect. But, after the best consideration he could give to the measure, he believed that if carried into effect in its present shape, the only persons who would benefit by it would be the whole class of lawyers themselves. His sincere conviction was, that it would give rise to more contests in courts of law, and to more emendatory Acts, than had been the consequence of any other measure passed for a considerable length of time. It was important to observe that the subject of registration had occupied the attention of lawyers for a considerable time, and that the objections to registration did not proceed from the lawyers. Fifteen years ago, when the report of a Commission on the subject was issued, it was found that only one lawyer of eminence objected to registration. In 1833 or 1834, when he had the honour of a seat in that House, he had advocated a measure in favour of the registration of deeds; and he remembered that the only opposition to the proposal came from the country Gentlemen. He believed that those country Gentlemen would have been the persons chiefly benefited by that measure; but they were so apprehensive that it would expose to public view not only the title on which they held their estates, but the incumbrances upon, and other circumstances affecting, them, that their objections to the measure were insuperable. In seeking to establish a perfect system of registration, they must consider the principle on which to proceed; they might either supersede the present system of law, or they might adapt their plan to the existing state of the law. This Bill attempted to unite both these things. It would almost seem as if the hon. Member for Surrey had submitted his scheme, which was incompatible with the existing system, to some lawyer, who had endeavoured to adapt it to the present state of the law. Indeed, he believed that he could point out in the Bill many places where the scheme of the hon. Member stopped, and where the adapting provisions of the lawyer began. He was quite sure that a change might be introduced for considerably improving the system with respect to the registry of deeds; and he thought that something analogous to the plan suggested by the hon. Member for Surrey for the registry of facts evidencing titles, and for the transfer of real property, might be adopted. In the report about to be made by the Commission to which the hon. Gentleman had referred, no doubt a very valuable body of evidence would be given upon the whole subject, from which might be worked out a scheme well worthy of attention, but which it would be impossible shortly to explain to the House; but he doubted whether this would be assisted by the Bill under discussion. Now, in reference to the Bill itself, after passing over the first six clauses, which related to the establishment of a Registration Commission, the House would perceive that by the 7th Clause it was provided that all documents should be registered, and also all evidence relating to the title of land which the owner should think of importance for the purpose of establishing his title to the property; and then, further down, there was a direction that it should be lawful for the owner to register a description of his land. It was by this clause left doubtful whether the owner was to register merely the deeds relating to the land, or whether he might register letters, or any papers containing what the owner considered to be important as the evidence of title in the land. It was also clear from the language of the clause that when any registration was effected, it would not be necessary for the owner to prove the execution of the deed, the authenticity of the document, or the truth of the fact he sought to register. By the existing law, however, no deed could be registered without an affidavit that it had been duly executed; and this observation was the more important, because this Bill provided, by the 29th Clause, that the party who had registered the document and evidence of his title, after the lapse of thirty years should become the absolute owner of the lands to which the deeds and evidence referred. Now, by the interpretation clause, the owner of the land meant a tenant for life. Now, suppose a man to be possessed of an estate settled on himself for life, with remainder to his children, and if he died without children, to his brother in like manner; if that man were to register himself as owner in fee of the property, live thirty years, and, leaving the property to a stranger, die without issue, his brother and his brother's children would be deprived of their estate. That might, indeed, not be the intention of the framers of the

Bill, but that really would be the effect of it. The Bill, in fact, took no notice whatever of the remainders, while all the protection that was given to the public that a man should not register himself as the absolute owner of another's property was, that the party registering should give six months' previous notice in the *Gazette* of his intention to do so. But how could that notice prevent a party registering himself as the owner of his neighbour's estate as if it were his own? True, the Bill provided that any party doing so should be guilty of felony; but what protection was that when it was taken in connexion with other parts of the Bill? For probably the person would be dead long before the time arrived for the infliction of the punishment, whatever that punishment might be, for it was not very clearly defined. But, further, the clause making it felony to put forward false claims would have no species of operation in the great majority of instances, because many persons really believed themselves to be the owners, when they had no earthly title to be considered anything of the kind. There was one society in particular, which he considered a very pernicious institution, he meant the Heir-at-Law Society, which was in the habit of fostering and encouraging people to fancy that if they could only once show that there was an entail attaching to lands 100 or 140 years ago, and that they were the heirs of the man so seised in tail, they had the absolute right to get possession of the property as against any present holder. It would be impossible to convict of felony a man having such a belief as that, who made a false entry on the registry. But it appeared to him that the Bill was still more absurd than that—if he might be allowed the use of the expression. The registry it proposes to establish is not to be an open registry, the hon. Member for Surrey having expressed his great objection to an open registry. Here he was directly at issue with the hon. Gentleman, on what he considered the leading principle of his Bill, because he held it to be vitally and essentially necessary that the registry should be an open one. If it were not open, this result would follow, that you receive a notice that some other man has registered a title to your estate; and you want of course to go to the office to search the registry, but this you are not allowed to do. By this Bill you must prove your title to the land as a preliminary condition before you are to be allowed to search, although no such obligation is imposed on any one for the purpose of registry. This was certainly a singular anomaly. You must prove your right, in order to search the registry; and unless this be done, it is the registrar who makes the search. Probably you may not be satisfied with his search, and think it very hard that a title should depend upon a possible mistake in search for a title admitted to be very often long and complicated in its intricate details. You are not at liberty to search yourself without an order of the court; and although it was not stated in the Bill how that order was to be obtained, he would assume that it was to be obtained in the cheapest and easiest manner—that was by summary application to one of the courts of law, or of equity. It was clear there must be a power to contest the order of the court, or it would be a mere idle form. You must give notice of your intention to apply for this order of the court; of course, the man whose title to your estate is upon the registry, without the title having been proved for the purpose of registry, will contest your right to an order to search the registry before you have proved your title; and the consequence is, that a lawsuit must be litigated on both sides before you are at liberty to ascertain what it is that is upon the registry. Could there be any more monstrous provision than that? And the result would be, that you would bring the whole property of the country into endless litigation; and there would not be a single man who fancied himself the owner of another man's estate—and the number of those who laboured under such a delusion was legion—but would make entries in the registry, and afterwards compel you to go into a court of justice to disclose your title, and litigate your right to see the registry. Then, again, by this Bill there was no means of setting the registry right—there was no appeal from the decision of the registrar upon the subject; and no means (which he held to be essentially necessary) of immediately correcting an error in the registry. The man that registers might add as much as he pleased, and amend from time to time; but nobody could set the registry right without a lawsuit, and even with a lawsuit it was doubtful whether it could be set right. Now, he maintained that it was essentially necessary that they should be able to make the registry as perfect as possible, and that would be impossible if they were not allowed to correct it. Then, again, the Bill provided that copies of the register should be received as evidence. Now by this Bill the register itself was a copy, and very great evils arose from copies and copies of copies being admissible as evidence. Supposing any two copies to differ, which should have preference? There was no means to provide against that difficulty afforded by this Bill. There was also great inconsistency between different parts of this Bill—one part said the register was to be final and conclusive as against all previously existing charges upon the estate, while another provided that the charges existing at the time of the registry should not be affected. This inconsistency was between the 17th and 23rd Clauses, the former of which allowed no effect to non-registered incumbrances; and this, no doubt, was part of the plan of the hon. Member, who wished to make the register final and conclusive in all cases; but here again the lawyer stept in, and, shocked at such a result as that a man should gain an advantage by his own fraud, and destroy the mortgages on his own estate by suppressing their existence, provided by the 23rd Clause that prior unregistered incumbrances should not be prejudiced by such omission; possibly this clause might control the former one, but this union in this Bill afforded a striking instance of the working of the two minds in preparing this Bill to which he alluded at the outset. Such were a few of the defects of the scheme of the hon. Member, though they no doubt might be amended, if it were as a whole desirable to be adopted. One part of the scheme, although not worked out by the Bill, might, he thought, be useful, namely, the recording from time to time, as they occurred, events on which the title of the owner might thereafter depend. Undoubtedly one of the evils connected with title was, that a man was often called upon to prove matters of a long anterior date respecting which all evidence of the acts had often perished with the acts themselves, but as to which there was no doubt at the time. Registrations of births and marriages would, no doubt, do much to remove that difficulty; but it was essential to secure the truth of the statement entered on the register, whatever might be the intent of any one: if the registry were secret, errors accidental or intentional could not be corrected, and yet what injuries might not arise hereafter if the owner was allowed to register a pedigree of his family according to his own fancy—the provision against false representations being a mere *brutum fulmen*, which in most cases could never be used at all! The first great objection in principle to the hon. Member's plan was that it was secret. Another great evil of the proposal was, that registration was not compulsory, and that deeds not registered were not declared to be inoperative and void. If that were done, and if persons were compelled to register the whole deed —if that were done, great advantages would follow; every deed would soon be registered, and then every deed would be well known. The principal evil of the present system in registering counties, next to its being voluntary, was, that persons registered memorials of deeds, and not the deeds themselves, by which the real nature and effect of the deed were concealed. The enormous number and complication of the instruments that would be registered under any effective system, made it a matter of vital importance to have an index so certain and complete as to enable any one to turn in an instant to the existing state of the title in the registry. The Bill before them did nothing to provide for such an indispensable adjunct to a useful system of registration. The Bill of Mr. Duvall, brought in by Mr. W. Brougham in 1834, provided a very complete system of indexing registered deeds, which was in a great measure adopted from a system pursued for the manor of Isleworth, where there was a large number of copyholds, and which system might serve as a model in any future attempts of a similar character. He had considered the Bill, with the view of seeing whether it would form a useful measure that could be wisely adopted by the House; but he must assure the hon. Gentleman, that notwithstanding his, as he believed, most sincere desire to be able to make this an effective Bill, he (the Solicitor General) did not see how it was possible for him to approve of it in principle. It was vicious because it was secret and voluntary, and in its details it would require complete remodelling even if the principles of the hon. Member were adopted. A good system of registration would most undoubtedly be found very useful; but with regard to this Bill, if it were referred either to a Committee of the whole House, or to a Select Committee upstairs, he was satisfied the hon. Gentleman himself would find he would be obliged to give up clause after clause, and to substitute fresh clauses even if his principle of a secret and voluntary registry were sanctioned by the House, so that either none of the Bill would be left standing, or an entirely new Bill would have to be substituted in its stead. A Commission was now in existence, consisting of several very eminent individuals, who had no desire to be tied by existing forms; and he thought the House should wait to see their report before any measure should be adopted. He had had some information from one of the Members of the Commission, and although he believed it to be true that their report itself would not contain any very definite suggestions on the subject, still it would doubtless contain a great body of evidence that would be found extremely valuable to any person who would *bonâ fide* set to work to prepare a Bill not with objects similar to those now sought to be effected by the hon. Gentleman the Member for Surrey, but with a view of introducing an universal, open, and compulsory system of registration; and, therefore, he would venture to suggest to the hon. Gentleman that his course ought to be to withdraw this Bill; for he must confess, feeling the strong desire he did in favour of registration, that he did not like to meet the hon. Gentleman's Motion with an express negative, although he was decidedly opposed to that principle of legislation on which his Bill was founded. He would ask him whether it would not be better for him to withdraw his Bill for the present, to allow time to examine and consider further a subject which he (Mr. Drummond) would allow him to say was one involved in very considerable difficulty to persons totally unbiassed by any desire to retain their old legal habits, but sincerely desirous to effect the general object proposed by this Bill, unfettered by any technicalities and trammels derived from their previous studies and legal knowledge; and if the hon. Gentleman consented to withdraw his measure, he would afterwards have the opportunity of seeing whether, with the report of the Commissioners before the House, another Bill might not hereafter be introduced that would effectually carry out his own views upon the subject.

MR. W. P. WOOD had listened with great anxiety to the speech of his hon. and learned Friend the Solicitor General, for the purpose of seeing whether or not there were any hope of some measures being at last taken to carry into full and complete effect so desirable an object as that which was sought to be accomplished by the present Bill. He feared, however, from the mode in which the Solicitor General had terminated his address to the House, that they were still at as indefinite a distance from that desirable object as they were in the year 1832. In that year, after a laborious investigation, a Committee, composed of the most eminent men in the profession, who were perfectly acquainted with the whole theory and practice of conveyancing, came to a unanimous report that a Bill for general registration was imperatively demanded. That was not a new idea—it was an idea entertained by every eminent lawyer, from the time of Sir Matthew Hale down to the period when the hon. Gentleman the Member for Surrey brought forward the question on the part of the country gentlemen, who really were the parties most interested in the matter. Whatever might be the views of lawyers on this subject, the hon. Gentleman the Member for Surrey did not, he conceived, do them justice; for they were the only persons who had agitated the question until the hon. Gentleman took it up; and their greatest opponents had been the country gentlemen, who, he (Mr. Wood) believed, after all, were the parties mainly interested in the matter. He could not help referring to the words of Sir Matthew Hale, who, in the time of Charles II., saw the necessity of some measure of this kind, and who took that large and comprehensive view of the manner in which land should be dealt with, which seemed now to be entertained throughout the country, but which at that time was confined to men of his enlightened character. Sir Matthew Hale, in his *Treatise on Conveyancing*, refers to the mode of enrolling deeds, and points out the mischiefs that might be committed by secret judgments, mortgages, and settlements, whereby purchasers would be deceived, and creditors defeated; and that mischief, he said, was the more considerable in England, because "the great inland trade they had was the trade of buying and selling of land, and great security ought to be given to the lenders of money." Taking an enlightened view of the matter, Sir Matthew Hale thought that the dealings in land ought to be as free and uncontrolled as the dealings in any other commodity, and referred to the difficulties arising from suits in law created by secret mortgages and incumbrances. The subject was followed up by Chief Baron Gilbert, Judge Blackstone, and other learned persons, up to the year 1832, when they had a commission, not only recommending a system of registration, but pointing out a defined plan. The execution of that plan was obstructed, not by efforts made on the part of lawyers, but by efforts made on the part of those who thought it would injuriously affect the country gentlemen. He believed there had been a change of opinion on the subject since that time; but he must at the same time call attention to the fact, that when the noble Lord the Member for Plymouth (Viscount Ebrington) brought forward a measure in 1846 in reference to it, the House was counted out. He (Mr. Wood) had seen with pleasure the notice of the hon. Gentleman the Member for Surrey to bring forward this measure; but though his (Mr. Wood's) name was on the back of the Bill, he must say (without following the examples they had lately witnessed of the general repudiation of measures brought before the House) that the whole credit of the measure was due to the hon. Gentleman. He was, however, prepared to say, that many of the objections which had been urged against the measure by the Solicitor General must have arisen from the circumstance of his numerous avocations not having allowed him an opportunity of perusing the Bill, for some of the objections were inconsistent with its provisions. If his hon. and learned Friend had told them that the Government was prepared to bring forward a Bill to render perfect the system of registration, he would prefer the adoption of that course. But how did the case stand? Nothing had been done since 1832, until two years ago, when a commission was appointed to investigate this same subject, which previously had been investigated in great detail by their predecessors; and yet those learned Gentlemen had taken two years, and had not yet made their report. Were it not for the notice that had been given by the hon. Gentleman the Member for Surrey, perhaps they never would have got a report, but at last a report was forthcoming. He was glad it was so, because, if this Bill were referred to a Select Committee of the House, it might enable them to put it into an effective shape. It was not his business to say that the Bill at present was effectual —it was enough for him to maintain the principle of the Bill, and show that the Bill was capable of being rendered effective, and was brought forward for a *bonâ fide* object. It would be seen that the objections of the Solicitor General merely applied to details in the clauses of the Bill, and did not apply to the principle of the Bill itself. That principle was of great importance, namely, that there should be some security for title, and a diminution of the enormous expense that was occasioned by the present system of conveyance. The subject was too large to admit of his then entering at length into the evils of the existing system; but he begged to call attention to certain facts contained in a book which he held in his hand, and which was written by the late Mr. Tyrrell, and the publication of which caused his being appointed one of the commissioners in 1832. That gentleman took a large and comprehensive view of the whole subject, and mentioned all the disadvantages that accrue from the want of a perfect system of registration. He mentioned no less than eight remarkable cases where enormous frauds had taken place. One was a case where a purchaser paid 20,000*l.* for an estate; but it was afterwards found that the fee was only held for three lives, and, the third life having expired, another claimant came in three years afterwards, and he was obliged to give up the property, and so lost the whole of his money. It was a well-known fact in the profession, that one of their leading conveyancers lost a large sum in consequence of an investment made by him on an insufficient title. Such a state of things should not any longer exist. Not a year passed in which every one of the four branches of the Court of Chancery (he did not speak of the Court of Appeal) had not to decide some question arising solely from the suppression of deeds. Then as to the expense, he could satisfy the House that by the establishment of a registry much expense would be saved, and that would of course greatly increase the value of land. How, he asked, was it that it happened that this was the only civilised country in the world that had not a registry? There was not a civilised country in Europe and America, that had not its registry. Ireland had its registry, and in every other civilised country there was a general register. It was well known that in those countries where they were established—for instance, in France and Belgium—land sold at 35 years' purchase, whereas in this country it sold only at 31 years' purchase, and in Holland it sold at 44 years' purchase. That was to be attributed solely to the fact of having a general registry; and was it right that this country should go on any longer trifling with the subject by succesive commissions and reports, while nothing was undertaken? That being the case, great credit, he thought, was due to the hon. Gentleman the Member for Surrey for undertaking the matter, and bringing forward this measure. He should now apply himself to the objections taken to the measure by his hon. and learned Friend the Solicitor General; which objections did not appear to him to touch the principle of the Bill, with the exception of the first. The Solicitor General said that two modes were proposed of dealing with this subject: first, by a modification of the existing system of law, and the creation of a new system, by which property might be transferred on the register; and the other was by an adherence to the old system of law, requiring that all deeds and documents should be registered. He would agree with the Solicitor General in saying that the title ought to be a simple title on the registry, and that a person appointed trustee of the lands should be like a trustee of stock, having the whole control and the sole power of transfer over the land. That was done with respect to stock, and frauds might be prevented by caveats being entered upon the register. But he was far from being enabled to say that either the profession or the country gentlemen were prepared for that measure. He thought it desirable that they should make the attempt to establish it; but at the same time they should give parties the option of saying whether they would register the land in that form, and give to trustees the full power of dealing with the property, and making conveyances of it by means of the register, or continue the present system of registration. In either case the public would have the benefit of the title being apparent on the registry. When they were making a change of this description, it was desirable to leave a choice to parties with respect to the mode they would adopt; and the way in which it would be acted upon might afford a reason hereafter to the Legislature for taking a more decisive course. When the Solicitor General said they were not told what they were to register, he must have overlooked the 18th Clause. He would therefore call the attention of the House to that clause, which set forth what was to be registered, and what was to be conclusive on parties claiming an interest in the property registered. The next objection was one which could only arise from his hon. and learned Friend not having an opportunity of reading over the Bill. He said any stranger might register himself as owner of an estate, and thereby ultimately establish a title against any person. He divided that objection into two branches. The first had reference to a tenant for life, who might, he said, raise a complete bar against all persons in remainder and revision. It was true that in a particular case the measure might operate in that manner; but he begged to call the attention of the House to the fact, that there were very serious embarrassments in the way of persons doing an act of that description, for there was the 22nd Clause, which directed that any person who shall register a title in land, not being the owner of it, shall be guilty of felony. In other words, it was declared that he would be guilty of the same offence as if he had registered a forged deed. His hon. and learned Friend had, however, gone further, and said that it was suggested to him by the Attorney General that A. might register B.'s estate—that a person might register a title to another person's estate. Why, the 29th Clause says that any person who shall be thirty years in possession of the rents and profits of the land (not, mind, an entire stranger), may then come and register his title. His hon. and learned Friend, he confessed, had pointed out a slight flaw with respect to a party being tenant for life under a settlement; but that was a matter of detail; and of course it was difficult, in framing a Bill of this description, to avoid all imperfections; but his hon. and learned Friend was not correct in saying that by this Bill a person not having an interest in lands might register a title thereto; but a person in possession thirty years might affect some person claiming under him. However, that would be extremely difficult; for all persons claiming would be on the registry, and no person purchasing could avoid seeing who were on it. He would not say, therefore, that the objection was hypercritical, but it went only to some portions of the Bill. His learned Friend then came to another point, that had more bearing on the question, namely, whether or not it should be an open registry. He believed the hon. Gentleman who brought the measure forward had no objection to its being an open registry, and the clause preventing it might be struck out. He was sure his hon. and learned Friend had, however, exaggerated the difficulties which persons would encounter who sought for an opportunity to look at the registry. If it were to be a close registry, the party applying had only to say that he claimed in a certain respect to look at the registry, and the registrar then would see if that person had any such claim; and if he had, he would open the registry to him. It was also objected by his hon. and learned Friend, that by this Bill there would be no authentication of the documents to be registered; and, therefore, that a forged deed might be registered. That objection was foreseen by Mr. Tyrrell, when he wrote on the subject; and he said, if it were necessary, they could require an authentication; but he considered that it was not necessary; that he never knew an instance of anybody, when a deed was presented to him to make out a title, asking if the proper signatures were attached. All persons looked for protection on that point to the laws relating to forgery; and thousands of pounds were paid for estates on deeds which were not authenticated. Why, then, did they want to have on the registry a more complete authentication than was required on looking to a title in a lawyer's chamber? Why should they, when there was a greater opportunity for exposing fraud, apprehend greater danger than was felt by a lawyer looking at deeds in his own chamber? That, he conceived, was not a valid objection; certainly it was not a valid objection to the principle of the Bill, nor even, in his opinion, to the details. His hon. and learned Friend had also objected that there were not sufficient indices provided by this Bill; and, he thought, so much the better. He was ready to believe the indices were most important; but the best modes of indexing would be presenting themselves in the course of practice. They had precedents to refer to: there was the register of Bavaria, which was the most perfect on the Continent; and there were other systems on the Continent; and there was the system suggested by the Commission of 1832; so that the greatest facilities were afforded to a registrar general to draw up a system of indices that might be submitted for the approbation of the Lord Chancellor or the Master of the Rolls. But let them take care, whatever Registry Bill was brought forward, that they did not hamper the measure by giving a stereotyped form of index that could not be altered. By so doing, they would raise an insuperable difficulty in effecting their system of registration. Notwithstanding all the objections that had been made, it did not seem to him that the House would be justified in postponing this Bill, without hearing something more definite on the part of the Government on the subject, or having some distinct understanding that the subject would be taken up by them. As it was a matter of such public importance, it would be better if it were brought forward by the Government rather than by a private individual; but if the Government did not bring forward the matter, and if they were still to wait for a remedy for some four, five, or six years longer, it was time for country Gentlemen to bestir themselves; it was time for all those to bestir themselves who were anxious to take off an impost upon land. At the present moment every Gentleman in the House must know what an amount was paid for expenses on the purchase of an estate. The charges were frequently as great for the purchase of a small estate as for the purchase of a large one—amounting to a percentage that was absolutely frightful; it being sometimes 5 or 6 per cent. The question was one which ought no longer to be dallied with; and he hoped that before long some measure would be introduced by the Government, if this should not receive the sanction of the House, for relieving the land from the enormous burden to which it was now subjected.

Mr. SLANEY said, he entirely concurred in the view taken of the subject by the hon. and learned Member who had just spoken, and thought that the gratitude of the House and the country was due to the hon. Member for Surrey for bringing forward that measure. At a time when they were addressing themselves to the consideration of the burdens upon land, it was a fair subject to discuss the large charges to which it was subject in consequence of the difficulties and expense of conveyancing, and the legal technicalities and inconvenience attendant upon its transfer from one party to another. Now, when all were agreed about the existence of the evil, it was time that something should be done to remedy it. He hoped, therefore, they would hear some statement on the part of the Government to the effect that if the present Bill was not allowed to be referred to a Select Committee, they would bring in some other measure upon the subject to do away with an acknowledged evil. There was another point of view in which he would look at the question. The great, the rich, and the opulent were able to take care of themselves, and he trusted they would do so; but it was on the part of those of more limited means that some such measure would be most useful to. Many persons of the middle and industrious classes would wish to invest their savings in land, were it not for the obstacles which the present expensive system of transfer threw in their way. If greater facility were afforded that class, an increased stimulus would be given to the industry and prudence of the middle and humbler classes. There could be no greater injustice in the law of real property as it now existed, than was committed towards small proprietors under the present system. If a calculation were entered into of the number of years' purchase, it would be found that there was a decrease of no less than five years' purchase, in consequence of the expenses caused by complexity of title, and in conveyancing. Even if the present system were to be retained with respect to large properties, why not remodel it with respect to small ones, to which the injustice was the greater? He hoped, therefore, they would have an assurance from the Government, that if they would not allow the present Bill to go into Committee, they would be prepared at an early day to address themselves to that great evil, and afford that relief to the landed interest to which it was entitled, and if a Bill on that subject went through Parliament it would be regarded as a great benefit to the country.

SIR G. GREY said, that he quite concurred in the opinion expressed by the hon. and learned Member for Oxford, that the House was very much indebted to his hon. Friend opposite for having brought this subject before the House in a definite shape. If the hon. Member's object had been to elicit from the House an expression of its opinion in favour of a general system of registration of deeds, and documents affecting land, with a view not only to the security of property, but to the increased facilities for the transfer of real property, and a diminution of the present enormous expense which now attended it, he thought that he ought to be well satisfied with the result of his exertions. There had not been the slightest opinion expressed in that House by any hon. Member hostile to the principle of a general registration of property. Every hon. Member who had addressed the House, whatever might have been his opinions with respect to the details of the measure, had expressed an opinion in favour of the establishment of a general system of registration. It was very satisfactory to compare the present feeling of the House with its opinion some years since on the subject of registration. There was a great change of opinion in the House with respect to that subject; and he believed that the country generally were becoming alive to the benefit which would attend the establishment of a general system of registration. If he were called upon to express an opinion on this Bill, wholly apart from its details, and as merely affirming the expediency of a general registration of deeds, he should have no hesitation whatever in voting for its second reading. The hon. and learned Member for Oxford had put the question merely upon that ground. He admitted, however, that the registration now proposed was a secret one; but he said that it might in Committee be made an open one—that the registration was voluntary, but might, in Committee, be made compulsory. He (Sir G. Grey) thought that that affected the principle of the Bill. It was rather more than a matter of detail to be amended in Committee, whether the registry should be a secret or an open one, and whether it should be voluntary or compulsory. He wished to repeat to the House a caution which he had expressed upon a former occasion against the practice of reading Bills a second time, in the object or titles of which they fully concurred, without any reference to the details of the measures, and then sending them up to a Select Committee, not with a view of amending them, but of having new Bills drawn up and sent back to the House, not at all resembling those which had been previously introduced, and the principle of which had been affirmed. He thought such a system a most inexpedient one. A desire had been expressed on the part of hon. Members, that Her Majesty's Government would give a pledge, that while they objected to much that the present Bill contained, and which his hon. and learned Friends the Attorney General and Solicitor General were of opinion would fail to effect the object the hon. Member had in view, they would take up the subject and bring in some measure themselves. He thought it rather unreasonable to call upon the Government to give an immediate pledge of that sort, when two years since they appointed a Commission to inquire into the whole system. That Commission was composed of Lord Langdale and several other very able persons; but no report had yet been made by them to the House. In a short time their report would be presented to the House; and until he had seen that report, he could not give any pledge with respect to the course which the Government might feel it their duty to take. He would only say, that the Government fully concurred in the principle of registration; and they would be prepared to give attentive consideration to the recommendation of that Commission. Until he had seen that report, it would be premature and rash, and tend only to mislead the House, if he were to pledge himself to introduce at any early day a measure on the part of the Government. He would, however, give this pledge, that as soon as the report of that Commission should be received, it would receive the attention of the Government; and they would be glad to give their assistance to any measure calculated to accomplish the object which the hon. Member for Surrey had in view, which would be free from the objections which had been so ably pointed out by his hon. and learned Friend the Solicitor General as attaching to this Bill.

Mr. HENLEY said, he thought that there were many persons who might be favourably disposed to the general principle of registration, who would yet consider the details of such an onerous and complex a nature, that they would consider them to more than outweigh the advantages to be derived from the adoption of the general principle. It had been said by some hon. Members that a system of registration would tend to improve the value of property —and the hon. and learned Member for Oxford had said, that on the Continent, where a system of registration prevailed, land was sold for several years more purchase than it was it England. He had not, however, heard it said that land realised higher prices in Middlesex, where a system of registration prevailed, than in Surrey, where it did not exist. The present Bill proposed to arrange the transfer of property on the principle of registration. He did not think the adoption of such a measure either very advantageous or very feasible. The principle of the transfer of property was very different from that of registration. He did not wish to go against the feeling of the House, in opposing the second reading of this Bill; but he wished, in giving his support to it, to guard himself against being considered as pledged in any way to support the Bill in any of its future stages. He thought the matter was one which ought to be taken up by the Government, and not left to the hands of any private Member, however able or talented he might be. The extent of the machinery which would be required to carry out the principle, and the enormous inconvenience that would result from any false step being taken, formed quite sufficient grounds for inducing him to believe that the measure would be much better in the hands of the Government, and he should be very glad if the hon. Member for Surrey would consent to withdraw the Bill for the present.

Mr. EWART was satisfied with the assurance given by the right hon. Baronet the Secretary of State for the Home Department, that the Government was well disposed to legislate upon this subject. He did not think it would be fair to bind them down at the present moment, in the absence of the report from the Commissioners, to introduce a measure on the subject. When that report was presented, the expectation throughout the country would be that Her Majesty's Government would act upon it. As he considered it would be objectionable to proceed with this measure while that report was pending, he hoped that the hon. Member for Surrey would withdraw the Bill, on the understanding that the Government would take up the question at the earliest moment possible.

Mr. MULLINGS could not agree to the principle of the proposed Bill. As one acquainted with the details of one of the largest conveyancing firms in the west of England, through whose hands thousands of properties had passed, he denied that the expense of transferring property would be lessened by its operation. On the contrary, he believed, if the Bill were carried into effect, transfers of property would be attended with a vast deal more of cost. Neither did he consider it would facilitate the sale of lands. When people were about purchasing, it was not so much about the title that an inquiry was made, as the condition of the property. Those were the considerations which governed the purchase of property, and the expense of conveyance did not influence the transaction. The instances of great expense attending the conveyance of property to which the hon. Member for Surrey had referred, must have occurred previously to the abolition of fines and recoveries. Since that abolition had taken place, that which used to cost 100*l.*

in the doing could be done for 2*l*. If a system of registration were to be established, it should be a general one, to include all documents, and particularly marriage settlements, the deeds with respect to which frauds were chiefly committed.

MR. MUNTZ thought that the lawyers were the last persons to whom they should refer a matter of this kind, as their interest would be to multiply difficulties. The hon. Gentleman the Member for Circenster stated that he had a most extensive business as a conveyancer in the west of England, and no doubt he had found it to be very profitable. There were, however, difficulties in carrying out a measure of this kind which the hon. Member did not seem to appreciate. It was rather a monstrous thing that a man who had never read the title-deeds of his estates should leave it to the lawyers to involve him in litigation. He could not help referring to the present very expensive mode of transferring property. This might be done without the investigation of the title-deeds. What right had a man who was not interested in the matter to investigate another man's title to his estate? He thought that by means of some Act of Parliament, they might adopt a plan by which every man who chose might ask the Government for a re-grant of his estate, with new and simple titles; and this could readily be done, provided, however, he had advertised a certain number of times in the newspapers, stating his intention, and if no one made an adverse claim to the property within a certain period. By such a mode they might have very simple titles, and few papers would be necessary, and this could be effected at little or no expense.

MR. H. DRUMMOND stated that all that he wanted was, some measure for the attainment of a practical object. He did not care about going into the lobby with a majority, but he should persist in his Motion, as he believed this was the best mode of proceeding. He wished to show landed gentlemen that there was no way to get out of the hands of the lawyers but by a registration of deeds. Unless this was made clear to the agricultural mind, they would do nothing.

The ATTORNEY GENERAL strongly recommended the withdrawal of the Bill. He protested against the establishment of a system of secret registration, as sanctioned by this Bill. Such a system would give protection to every species of fraudulent conveyance of property. The system of registration in Scotland had been quoted in support of this Bill, but he begged to remind the House that that system was an open one. If the hon. Member for Surrey persisted in pressing for the second reading, he should feel it to be his duty to move, as an Amendment, that the Bill be read a second time that day six months.

SIR G. STRICKLAND seconded the Amendment.

MR. DRUMMOND, in reply: I think that to bring forward any subject merely for the sake of obtaining an expression of opinion is complete waste of time; to obtain an opinion is very well as a means to an end, and I will certainly not withdraw the Bill without a pledge on the part of the right hon. Baronet, that he will take up the measure. As to placing reliance on the exertions of lawyers in that direction, I cannot do better than adopt the sentiments and language of my right hon. Friend the Secretary for the Home Department, in his speech a few nights ago, which are as follows:—

> "He had alluded to the Act passed last Session for facilitating the transfer of land; and he must say that it was only by slow experience that a conviction was forced upon Gentlemen accustomed to the forms of law and equity, of the necessity of dispensing with some of those forms which in their notions, derived from education and long-cherished habits, were essential for the protection of the rights of property. No doubt those Gentlemen thought it necessary to lay down these rules for the protection of property, and they would be slow in receiving the conviction that they were unnecessary; it was no less true that the Court of Chancery was not a court likely to assist in the removal of the obstacles which prevented the transfer of property. At the same time, it was no doubt very desirable to accelerate the process of transfer."

SIR G. GREY admitted the fairness of the retort made by his hon. Friend; but he hardly expected that what he had said with reference to the Irish Encumbered Estates Act would be quoted in favour of the abolition of protection to the rights of unborn children; for that it was alleged would be the effect of his hon. Friend's plan. He confessed that he had never thought that a speech of his upon such a subject would have been quoted in defence of such a measure as the present, for his observations had not the slightest reference to such matters. He was desirous that every facility should be afforded—with every regard to the rights of property—to diminish the expense of the transfer of property, by shortening the length of conveyances—by giving short titles, in room of the present system. He could not, however, agree with his hon. Friend the Member for Birmingham, that if a man wanted to purchase an estate, there was no reason why he should look into the title-deeds.

The LORD ADVOCATE stated that he should vote for the Amendment, and he did not do so from any dislike to the system of registration, but because he disapproved of the particular plan proposed by the hon. Member for Surrey. On the contrary, he knew that in Scotland it had given great security to the titles of estates. They had had experience of it for upwards of two hundred years, and it had not been found to give rise to litigation, but directly the contrary, as it ensured the greatest confidence in titles. The registration in Scotland was in the first place compulsory; and, in the second place, titles were not acknowledged unless founded on their registration. This registration was not close or secret, but was kept with the avowed object of publicity.

Sir R. PRICE remarked, that it struck him that it was essential that something should be done with respect to a registration of deeds, but he felt that great difficulties were attached to many clauses of this Bill. The present system pressed most heavily on the landed proprietors of this country. The Bill of the hon. Gentleman the Member for Surrey did not go the length which was requisite; but he should vote for it with the view of showing that he thought some form of general registration was absolutely necessary, so that they might get rid of that constant system of fighting and attacking every title-deed.

Sir H. VERNEY should also vote for the second reading of this Bill, because he believed it to be the only plan by which they could give effective security to title-deeds. He believed that a measure like the present was of great importance to the poor man who wished to become the proprietor of a small piece of land. He was sorry the Attorney General had not promised to introduce a measure of this kind, as he should have preferred leaving the matter in the hands of the Government; but as they had no intention of the kind, he should vote for this Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Question put, "That the word 'now' stand part of the Question."

The House divided: Ayes 55; Noes 45: Majority 10.

List of the AYES.

Arkwright, G.
Bailey, J., jun.
Barrington, Visct.
Berkeley, C. L. G.
Brown, W.
Burroughes, H. N.
Buxton, Sir E. N.
Cayley, E. S.
Christopher, R. A.
Colebrooke, Sir T. E.
Crawford, W. S.
Ellis, J.
Evans, W.
Fagan, W.
Gibson, rt. hon. T. M.
Goddard, A. L.
Grenfell, C. W.
Gwyn, H.
Harris, R.
Headlam, T. E.
Henry, A.
Heyworth, L.
Hood, Sir A.
Kershaw, J.
King, hon. P. J. L.
Langston, J. H.
Milner, W. M. E.
Milnes, R. M.
Mowatt, F.
Muntz, G. F.
O'Connor, F.
Ogle, S. C. H.
Pechell, Capt.
Pilkington, J.
Pinney, W.
Price, Sir R.
Scrope, G. P.
Seymer, H. K.
Sheridan, R. B.
Sibthorp, Col.
Slaney, R. A.
Smith, rt. hon. R. V.
Sotheron, T. H. S.
Stafford, A.
Stanton, W. H.
Stuart, Lord D.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Trelawny, J. S.
Verney, Sir H.
Walmsley, Sir J.
Williams, J.
Willoughby, Sir H.
Wyvill, M.

TELLERS.
Drummond, H.
Wood, W. P.

List of the NOES.

Armstrong, R. B.
Arundel and Surrey, Earl of
Boldero, H. G.
Boyle, hon. Col.
Bremridge, R.
Buck, L. W.
Campbell, hon. W. F.
Carew, W. H. P.
Clive, H. B.
Crowder, R. B.
Cubitt, W.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Fordyce, A. D.
Grey, rt. hon. Sir G.
Hawes, B.
Henley, J. W.
Hope, Sir J.
Hotham, Lord
Howard, P. H.
Hughes, W. B.
Jervis, Sir J.
Lockhart, W.
Mackenzie, W. F.
Maitland, T.
Morison, Sir W.
Mulgrave, Earl of
Mullings, J. R.
Packe, C. W.
Paget, Lord G.
Palmer, R.
Romilly, Sir J.
Russell, F. C. H.
Rutherfurd, A.
Sheil, rt. hon. R. L.
Smyth, Sir H.
Somerville, rt. hn. Sir W.
Strickland, Sir G.
Townshend, Capt.
Trollope, Sir J.
Vane, Lord H.
Watkins, Col. L.
West, F. R.
Willyams, H.
Williamson, Sir H.

TELLERS.
Hill, Lord M.
Howard, Lord E.

Main Question put, and agreed to.

Bill read 2°, and committed to a Select Committee.

THE POOR LAW.

Captain PECHELL moved for copies of the several letters received by the clerk of the Godstone union from the vestry clerk of the parish of Brighton, with the answers thereto, respecting the maintenance of John Ledger, his wife, and family, whose relief was withdrawn by the Godstone guardians pursuant to the instructions of the Poor Law Commissioners, founded upon the opinions of the law officers of the Crown. He said, his object in moving for these papers was to abolish that odious system of oppression by which a poor man, if he had any means whatever of a partial subsistence, was compelled to abandon his family. The Poor Law Commissioners had, in 1846, submitted a case to the law officers of the Crown, for the purpose of ascertaining whether parishes who had incurred expense for removal before the Poor Law Amendment Act was passed, ought to be indemnified by others. They gave a decision against the adoption of such a system, which was also adverse to the opinions of some of the highest legal authorities of this country. By this decision fully one-third of the pauper population was made irremovable; and although it was obtained in 1846, no notice whatever was given of it to the several unions for more than two months afterwards. Nevertheless, although there had been several attempts to tinker up the poor-law, and he had repeatedly asked the Attorney General in that House when the state of the law was to be settled, it was not until the 25th of November that the Queen's Bench had come to any determination of the matter. He did not mean in any way to include an allegation against the present hon. Member who was at the head of the Poor Law Board, when he designated their conduct as being in accordance with their usual course of bullying; neither would he allude to the late President of the Board, whose loss he deeply lamented. When that hon. and learned Gentleman entered upon his office, he had looked for better things; nor had he been disappointed. He had evinced a constant desire to mitigate the operation of this law upon the condition of the poor; and, had he been spared, he might have been the instrument of much greater good than that which he effected. He had hoped, when the hon. and learned Gentleman who was now Chairman of the Board entered upon his office, that the system was cleansed of all its evils; but it appeared there was so much bad mixed up in its constitution, that eradication of the mischief was impossible. The House had great reason to complain of the way in which the matter had been treated. Although the most eminent men in the House, and others out of it, of great legal knowledge, declared it could not be the intention of the Act to settle persons who had resided five years in a place, yet, for the space of two years, the country remained in a state of doubt upon the subject, and the Poor Law Commissioners, in their annual report, merely noticed the fact. They said they had submitted the construction of the Act to the Attorney and Solicitor General, and they believed the country was generally satisfied with the construction put upon it by those functionaries. That document was signed by George Nicholls and Edmund Head. The House ought to have those gentlemen before it, to say why they mystified this subject, and why they kept the country in this state, by which parties were put to the greatest expense, and the poor to the greatest misery that could possibly occur. Lord Denman had given a decision which was opposed to the opinion of the Attorney and Solicitor General. The present President of the Poor Law Commission acknowledged that the construction of the Act had been settled by Lord Denman, and that many parishes had been saddled with expenses wholly unnecessary. In the parish of Brighton the poor settled in the town cost 1,168*l*. It was in order to get an explanation from the President of the Poor Law Commission, and to rectify the difficulty which the Poor Law Commissioners had thrown on the country, and in order to see what power there was to obtain a remedy from them, that he had brought this subject before the House. There might be three courses. The first was to get the money from the persons who had caused all those difficulties. Mr. George Nicholls and Sir Edmund Head should be applied to for payment first of all; and in default of them he should look to the Government and the Poor Law Commissioners to reimburse the parish for the expense of their non-resident poor when the law was unsettled. Then, again, the hon. and learned President of the Poor Law Board should bring in a Bill to enable parishes to repay this expenditure. He did hope something would be done where so manifest an injustice had been created. The Poor Law Commissioners had had their amusement, and he now called upon them to pay the bill.

The ATTORNEY GENERAL was willing to take the whole responsibility of the matter. The Poor Law Commissioners had nothing to do with it; they acted on an opinion given by his hon. Colleague (the Solicitor General) and himself on the construction of this statute; and he was prepared to abide by that opinion. The question was, whether the proviso was retrospective or not. He and his hon. Colleague gave the question the best consideration they could; and they came to an opinion upon the Act, which they gave to the Poor Law Commissioners. They were not singular in that construction; many hon. and learned Members in that House, and many lawyers out of it, gave the same opinion, that the proviso was not retrospective. He apprehended that no blame could attach to him because the Court of Queen's Bench had overthrown an opinion which he had given upon the construction of an Act of Parliament; nor could the Poor Law Commissioners be blamed. They had no power to send a case before the Queen's Bench, though he, in his capacity of Attorney General, mooted this matter in the Queen's Bench on their behalf; but the court held that they had no right to decide sooner for one party than another. In this case, then, there was no ground of complaint at all. He had no objection to the production of the papers.

Lord D. STUART said, it was a great grievance that the parishes should have been made to pay contrary to the law. He considered that the Attorney General was not quite so free from blame as he imagined. He trusted the papers would be produced.

Mr. HENLEY considered that neither the law officers of the Crown nor the Poor Law Commissioners were to blame in the matter. Certain parishes had applied to the Poor Law Commissioners for advice as to the construction of an Act of Parliament, which led to their laying the Act and case before the Attorney and Solicitor General for their opinion. In their private capacity the Poor Law Commissioners had forwarded that opinion to the various parishes throughout the country, for their guidance in arriving at a proper construction of a difficult Act of Parliament; but it was quite optional for those parishes to adopt the advice or not. He trusted that the House would not agree to any Motion which would have for its object the re-opening of the accounts which had already been audited and closed. The Poor Law Commissioners had done all in their power in explaining the construction of a very difficult Act of Parliament.

Mr. BAINES agreed with the hon. Member for Oxfordshire, that it was desirable it should be understood that there was no intention whatever to re-open accounts between parishes which had been finally settled and audited, and that Parliament would not consent to any Bill for that purpose. What had taken place with respect to payments made by one parish to another, in consequence of the opinion given by the Attorney and Solicitor General, made it difficult to tell what parishes had gained or lost by it. Parishes had usually gained by it upon one set of paupers, and lost by another. Nothing, in his opinion, could be more fair or more entirely within the proper discharge of his duties, than the conduct of the late Mr. C. Buller, in seeking and adopting the opinion of the law officers of the Crown.

Mr. BANKES considered that a degree of blame attached either to the Poor Law Commissioners or to the Government, because they resisted his suggestion that a declaratory Act should be passed, which proposition, if it had been adopted, would have had the effect of saving a very large amount of expenditure. But the Government having resisted that Motion, therefore they were to blame.

The ATTORNEY GENERAL reminded the hon. Member for Dorsetshire that when he made the Motion, the question was being considered by a Committee which was then sitting. That Committee reported that there was no necessity for a declaratory Act.

Captain PECHELL was glad that the papers would be laid before the House, because the matter could not rest here. He considered it his duty to follow up this subject, because he considered the House would not sanction so great an act of injustice as that which had arisen from its bad legislation.

The subject then dropped.

NAPLES AND SICILY.

Mr. BANKES rose to move for a return of which he had given notice. The hon. Gentleman said, he conceived that return was of some importance, because the question it involved affected the honour and character of England as a nation. It was a remarkable fact, that in this country, where matters of foreign as well as of domestic policy were so freely canvassed, the representatives of the people in Parliament bestowed but very little attention on our relations with foreign States. There was always some reason ready to be given by the Members on the

Treasury bench for not discussing in that House subjects of foreign policy at the moment when they were freely discussed by the public out of doors. It almost always happened that the intercourse which we were carrying on with foreign States was either not sufficiently matured, or else it was altogether too late to enter into any investigation of the subject. Now, if our relations with other countries were in a satisfactory state, it would, perhaps, be only reasonable on the part of the House to refuse to enter into unnecessary discussions; but when they saw that those relations were by no means of the most favourable nature, he thought they ought to direct a larger share of their attention to the subject. It was true that we were not at war with any foreign States; but our relations with other Governments in many parts of the world were by no means of that amicable character which it was our interest, and which it should be our wish, to preserve. He was as anxious as the noble Lord at the head of the Foreign Department could be for the continuance of friendly relations between England and foreign nations; and he believed that he was promoting that object to the best of his power when he denounced any acts which could irritate other Governments. He would touch for one moment on circumstances to which he had last year called the attention of the House—he meant our relations with the Court of Spain. At an early period of last Session they had reason to apprehend that our relations with that Court were not altogether of so amicable a character as they could desire. Questions had been put from time to time to the noble Lord at the head of the Foreign Office on the subject; and very short answers to those questions had been given by the noble Lord. At last a striking and signal fact had occurred—namely, the arrival of our Ambassador, who had been sent away from the Court of Spain in disgrace. The particulars of that transaction had never yet been stated to the House. He had brought forward a Motion on the subject in the month of June, but he had then been told by many high authorities that the Motion was premature. As he had not, therefore, met with that degree of encouragement without which he never wished to lead the House into a vote, he had not pressed his Motion to a division; and, indeed, the noble Lord at the head of the Government had not given him an opportunity of taking a direct vote on the question, but had merely allowed him to bring on the subject in an incidental manner. Rumours at present prevailed everywhere, except in that House, to the effect that new arrangements were about to be entered into with respect to our relations with the Court of Spain. But in that House the subject was never mentioned; and he was at a loss to know when the proper time for its discussion could arrive. It was with the recollection of what passed with regard to Spain that he now submitted his Motion to the House with regard to another friendly nation, for the purpose of bringing forward to the notice of the House a very singular transaction, which must not only, in a great degree, compromise the character of this nation as regarded her relations with the King of the Two Sicilies, but which must compromise her relations with every civilised Power on the face of the earth which recognised the obligations of solemn treaties. As he had already observed, they in the House of Commons were more ignorant of foreign matters than any other society in Great Britain. But it appeared that disturbances having arisen in a portion of the kingdom of the Two Sicilies in the autumn of 1847, the King having heard that an English nobleman of high rank was at that time staying in the dominions of his Holiness the Pope, most unfortunately for himself invited that nobleman, who at that moment had been instrumental—perhaps, indirectly so—in stirring Rome into rebellion against the Sovereign Pontiff, to visit his dominions. He accordingly came, and the result which he had introduced into Rome he seemed to have introduced—doubtless, without any intentional agency on his part—also into the more southern dominions, which he next visited, and which, from a state of disquietude, broke out into one of entire and flagrant rebellion. The efforts of the Earl of Minto were, no doubt, most honestly and honourably exerted to quench the flame which he had helped to raise, but they were wholly ineffectual to that purpose. He remained there, it appeared, as arbitrator till the April following; and then, having made every place he visited too hot to hold him, he went away. He was perfectly aware of his good disposition; but he was also aware that, under the circumstances which then influenced Italy, any supposed mediation on the part of an English nobleman was almost certain to produce the effects which unhappily resulted, of giving confidence to the insurgents, and the contrary feelings to those who were otherwise disposed. What the relations of this country had been with the King of the Two Sicilies, or with these insurgents, from the moment when the Earl of Minto's diplomatic mission ceased, they had no information whatever. None had been furnished by the Government, and the contradictory accounts to be gleaned from the public papers could not, of course, be wholly relied on. It did appear, however, that there was a period during which the noble Lord the Foreign Secretary recognised these Sicilian insurgents as a separate and independent State and Government; but he was not aware that any one besides the noble Lord had ever made such a recognition. He presumed that the Houses of Parliament had a right to be informed if any such revolution took place as tended to place any Power with whom this country maintained friendly relations in a new position as regarded any portion of its dominions; and when, in point of fact, Sicily did become separate and independent, it was not only right but necessary that the Houses of Parliament should be informed of so great and important a change; more especially when it so happened that those dominions belonged to an ally who was included in the Treaty of Vienna, and whose title we then ratified and acknowledged. That a presumption might have been raised to that effect at the beginning of the Session, he was ready to acknowledge, when, to the surprise of many in that House, it was found that an ancient ally of the Crown of Great Britain, who had been formally recognised as the King of the Two Sicilies, was mentioned by Her Majesty in the Speech from the Throne as the King of Naples. He was willing to admit that a presumption then arose that some change had taken place in the arrangement of those dominions. But surely if such had been the fact—if no earlier intimation could have been given, still the Commons of England had a right to expect that they would have been informed in the Speech from the Throne that a change had taken place with regard to one of Her Majesty's faithful allies, and have had the particulars laid before them. They were, however, left to form their own presumptions on the subject from this singular incident in the Royal Speech. But the suspicion received confirmation in no inconsiderable degree when rumours began to float about that arms had actually been permitted to be sent, by the authority of the Government, for the supply of these Sicilian insurgents, early in last autumn. He would admit to the noble Lord that when he put his question to him on this subject, although he had reason to believe the fact of arms having been sent to be true, he had no notion whatever that the noble Lord was cognisant of the transaction. He could not believe it, and he took the precaution of writing to the noble Lord to acquaint him of the question which it was his intention to put to him, in order that he might have an opportunity of making inquiries, and satisfying himself as to the truth of facts of which he then believed him to be perfectly ignorant. He could not believe that it was with the sanction of a Cabinet Minister, holding the high position of the noble Lerd, that such transactions had taken place. What was his surprise, therefore, when he heard the noble Lord not merely acknowledging the fact to be perfectly true, but that he himself had authorised the transaction, and, at that moment, saw nothing objectionable in it! It followed, therefore, that the noble Lord did consider Sicily in the light of an independent dominion; for under no other circumstances could he have viewed such conduct as just or honourable. He would conclude the facts to be these, that this contractor, who was employed by the Sicilian insurgents, did apply to the officers of our Ordnance for the return of a certain portion of the arms which had actually been delivered and were in our stores at Woolwich, because he could not supply the contract which he had engaged to fulfil in time to enable these insurgents to prosecute the rebellion with sufficient activity. He believed that the officers of the Ordnance, exercising due caution, declined to comply with the request of the contractor, and the matter was then referred to the noble Lord the Secretary of State for Foreign Affairs. He did not know what degree of control the noble Lord possessed over the Ordnance Department, but of this he was satisfied, that the Ordnance Office would not have acted in this matter without his authority, and that he gave it, and did not deny that he had so acted; and seemed to think that what he had done had been done rightly. He could not conceive under what circumstance it could be right to give the high sanction of the authority which the noble Lord held in this country to the arming of insurgents against their lawful King, supposing there had been no distinct recognition, on the part of their King, of the independence of the revolted province. Such were the facts. There was much more connected with the Sicilian question on which he perhaps might occupy the attention of the House at some future time, although it was extremely difficult to find a time for bringing on anything connected with foreign affairs. The noble Lord, ingenious everywhere, showed his ingenuity in this with considerable effect. The time was never proper for these discussions, and, in the noble Lord's opinion, probably never would be proper. It was, no doubt, painful, however, to find statements solemnly made in that House, as solemnly contradicted in another great assembly—contradicted in the face of our own Ambassador, sitting there as the representative of this country, who was told that what had been said in the House of Commons, and which had been inserted in the Speech delivered from the Throne, was not founded in fact. That the noble Lord had received information of everything he had stated, no man alive could ever doubt; but they might doubt whether, when such events were taking place, and when countries were torn, as Italy unhappily was, by contending factions, foreign Powers had not a right to ask that information should not be promulgated in our Houses of Parliament —even though resting on apparently good authority—until the real truth had been ascertained. He understood that no objection would be offered to the substance of his Motion, but he adhered to the terms of it, inasmuch as they gave the truth and the whole truth, and he thought it desirable the whole should be stated.

Motion made, and Question proposed—

> "That there be laid before this House, an Account of all Ordnance Stores returned from that Department to any Contractor in the year 1848, for the purpose of being sent to the Sicilian insurgents in arms against Her Majesty's Ally the King of the Two Sicilies, with the consent of Her Majesty's Government."

VISCOUNT PALMERSTON: Sir, as the hon. and learned Gentleman has stated, I shall have no objection to produce the accounts for which he has moved, provided he will omit, or, if he does not consent, I shall call upon the House to sanction the omission, of the last words of the Motion he has proposed. I object to the latter words, because those words imply an opinion as to the merits of the question pending between the Sicilians and the King of Naples, which I think this House is not at present in possession of sufficient information to decide upon, and which, at all events, ought not to be decided summarily by a vote of the House of Commons. I therefore shall have no objection to the Motion, for an account of all arms returned for the purpose of being sent to the Sicilians, omitting the words "insurgents in arms against Her Majesty's ally the King of the Two Sicilies." Now, Sir, the hon. and learned Member complains that there is never a fit and proper time found for discussing foreign affairs in this House. He says that while matters are pending Members of this House are called upon by Her Majesty's Ministers to abstain from discussing affairs that are under negotiation, and that when affairs are settled they are told that the time has gone by. Now, taking that representation as correct, I must at all events compliment the hon. and learned Gentleman upon having found a time, to him at least, peculiarly convenient and proper for discussing foreign affairs, the time, namely, when he is totally ignorant of the matter into the discussion of which he seeks to lead the House. I can quite understand that the most convenient time for the hon. and learned Gentleman to originate debates of this nature is when his own knowledge and that of the House is most crude—when he is least qualified for the discussion, and most misinformed. It is to be expected that he should invite us to this discussion at a time when the House is not able to detect his fallacies, expose his inconsistencies, or perceive his total want of information. I can, therefore, compliment the hon. and learned Gentleman upon having solved that difficulty under which he professed to be labouring, and having found that time which to him is most convenient and proper for the discussion of foreign affairs. But I wholly deny the second assertion which the hon. and learned Gentleman has made. It is perfectly true that when discussions are proposed with respect to matters connected with intricate foreign negotiations—when those discussions are started at a moment when it would be inconsistent with the duty of the Government of the day to produce the papers which would give to the House information as to the existing state of those negotiations—it is then incumbent upon Ministers, under the circumstances, to decline entering on a discussion of pending transactions; but I utterly deny, for myself, that I have ever made any objection to discussions founded upon papers produced after the transactions are over. No doubt those who, like the hon. and learned Member, have wanted to find fault with the conduct of Government, have not found it convenient to enter on that discussion when the grounds upon which Government have acted and the details of their conduct have been exhibited. It is not we who would have said that was not the proper time, it is they who have wanted to attack us who have found that that was not a proper time when the House was in possession of the information requisite for forming a judgment. Without, however, dwelling upon those topics, I shall rather come to the fundamental difference of opinion which I have with the hon. and learned Gentleman on some of the principles adverted to by him in the course of his speech. I understood him to say, that all who take up arms in vindication of their rights are to be regarded in the light of insurgents; and he seems to belong to that ancient school of political doctrine which vindicates

> "The right divine of kings to govern wrong."

He thinks that nations are made for sovereigns and for governments, instead of being of opinion that sovereigns and governments are appointed for the benefit and advantage of nations. It is upon that ground that the hon. Member wishes, by the terms of his Motion, to stigmatise the Sicilians as insurgents and rebellious subjects. I will not now go into that Sicilian question, which is one that would lead me, or any one who might engage in its discussion, much farther than would be expedient at present; but this I will say, that the Sicilians have had a constitution for centuries—that their rights are ancient and indisputable—that those rights were confirmed by the direct and positive sanction of their sovereign in the year 1812, when their ancient constitution was remodelled and reformed, and not, as many persons suppose, when they for the first time received a constitution at his hands. At that time that constitution was sanctioned, article by article, by the word and promise of the Sovereign of the day; and therefore, I say, that if the Sicilians, in recent times, have risen in arms to assert their ancient rights, and to require the execution of the constitution which never was abrogated, but only by an abuse of authority suspended, I will not concur with the hon. and learned Member in stigmatising the Sicilians in the manner which he proposes by his Motion. The hon. and learned Member says, that at present our relations with foreign countries are not in the situation in which he would wish to see them; and he denied, the other day, the imputation which I was led to cast upon him, that the condition in which he would wish to see those relations was one that would be far from that of amicable and friendly. I must say that I think some of the views which he takes of the course we ought to pursue would lead us to that condition which he denies he is desirous of seeing us placed in; but I deny the assertion of the hon. and learned Member, that our relations with foreign countries in general are not in a satisfactory state. I say, in contradiction to the hon. and learned Gentleman, that this country does stand well with the great majority of foreign Powers—that the character of this country stands high—and that the moral influence of England is great—a moral influence which I do not take credit to this Government for having created, but which is founded upon the good sense, and the wise and enlightened conduct, of the British nation. Sir, foreign countries have seen that in the midst of the events which have violently convulsed other countries of Europe, and which have shaken to their foundations ancient institutions, this country has held fast to her ancient landmarks, standing firm in her pride of place—

> "Fell not, but stands unshaken, from within,
> Or from without, 'gainst all temptations armed."

That has given confidence to foreign countries in the Government and people of this country. When other ancient monarchies were shaken to their very foundations, England stood unhurt, by its evident security giving confidence to other Powers. They have seen that the Government of England is not, like that of other countries, struggling for its existence, and occupied in guarding against daily dangers. They have seen that the British Government acts in unison with the spirit of the nation with whose interests it is charged. They know that its advice is worthy of being listened to; and that advice, I can tell the hon. and learned Gentleman, is valued and respected, not spurned with contumely, as he would wish us to suppose. The hon. and learned Member adverted to the long interruption of our intercourse with Spain. The papers upon that question were laid upon the table last year, and it was competent for the hon. and learned Member at the time to have made any Motion he chose upon the subject. If he did not do so, let him not cast any blame upon us. Rather let us allege that it was because he found there was no ground upon which an advantageous attack upon the Government could be made. Inclination certainly is not wanting on his part; and whenever that forbearance for which he takes credit is shown, I will claim it as the result of his inability to find any tangible ground of attack. The hon. and learned Member has a wonderfully short memory. He asked me, but two days ago, when it was that the Earl of Minto's credentials were signed, and when they ceased to have effect. I think it was only the day before yesterday I told him that the noble Earl's credentials were dated the 27th of December, that he arrived at Naples on the 6th of February, and that he presented his credentials on the 7th of February. In the face of this statement, the hon. and learned Member asserts this day, that the Earl of Minto's arrival at Naples, in December, was the cause of the outbreak in Messina, which took place in the month before the noble Lord had arrived. I reject, then, with disdain, on the part of my noble Friend, the charges which the hon. and learned Member has condescended to bring against him, of having been employed in Italy in exciting the people of Sicily to rebel against their Sovereign. [MR. BANKES: I said just the contrary. I said that it was not the noble Lord's intention to do so, but that such had been the effect of his conduct.] Very good. The hon. and learned Member is so accustomed not to produce the effects which he intends, that he has ascribed that misfortune to other persons as well as himself. Now, Sir, I deny the effect, as well as the intention. It is not true that my noble Friend's presence was attended with effects so different from what the hon. and learned Gentleman deems them to have been, but quite the contrary. The Earl of Minto, wherever he went, was useful in bringing together adverse parties; and, as far as it was consistent with his duty, he gave advice, when solicited by opposite parties in the States he was accredited to. His progress was a progress of peace and conciliation, instead of being, as the hon. and learned Member chooses to suppose, a progress giving rise to civil commotion in those States. I suppose the hon. and learned Gentleman means to say that the visit of my noble Friend to Rome, in the beginning of last year, was the cause of the events which took place at Rome in the beginning of this year, or at the end of the last year. These are certainly causes and events which the hon. and learned Member may be able to put together, but which, I am tolerably sure, the rest of the world will see are totally disconnected. Now, Sir, I again say, as I have stated upon former occasions, that the Earl of Minto's interference in the affairs pending between the King of Naples, or between the King of the Two Sicilies, if the hon. and learned Gentleman insists upon the formal and diplomatic title, and his Sicilian subjects, was at the request of the King himself. That it did not succeed, was the fault of the Neapolitan Government. But, Sir, on this question, the hon. and learned Member again misreads treaties. He says, as I understand him, that the Treaty of Vienna contains some guarantee of the rights of the King of Naples. [MR. BANKES: It guarantees the King the title of the King of the Two Sicilies.] It contains no guarantee at all. The 104th Article of the Treaty of Vienna says, that the King of the Two Sicilies—I forget what title it gives him, whether it is the King of Naples, or the King of the Two Sicilies—is to enter into possession of his Neapolitan territories, and that the Powers acknowledge him by the title of King of the Two Sicilies. But can the hon. and learned Gentleman say, or will he contend, that that recognition of title alters the constitution of Sicily? Suppose any foreign Powers acknowledged the title of the King of England at the time when he assumed the title of King of France. Suppose they acknowledged or recognised the King of England under the title of the King of England and of France, would anybody have said that that recognition gave to the King of England a right to the territory of France, or a right to overturn the constitution? With regard to these general points, therefore, I think the hon. and learned Gentleman would have done right to the House, though perhaps worse to himself, if he had postponed entering into detail until the papers have been laid upon the table, and until the House is in possession of the history of these Neapolitan and Sicilian negotiations. But I will tell him this—and he will find it when the papers are laid upon the table—we wish, and the desire of Her Majesty's Government from the beginning to the end has been, to continue the connexion between Sicily and Naples—to continue the two crowns upon one and the same head; and that however the views of that possibility may have varied from time to time, according to varying changes and circumstances, it has been the constant desire of Her Majesty's Government, upon European considerations, as well as with reference to the interests of Sicily and the King of Naples, to preserve the union between the crowns of Sicily and Naples. With regard to the papers, I shall have no sort of objection to produce them. The transaction was exactly that which I stated on a former evening. The contractor applied to the Ordnance, stating he had an order from the Sicilian Government, and that with the view of completing the order more speedily than he otherwise could, he wished to have returned to him some iron guns he had supplied, which he would replace afterwards by guns of the same kind. The Ordnance, and not the contractor, referred to me to know if there was any objection to complying with this request. My answer was, there was none; and the guns, accordingly, were given to him. Upon further consideration, however, it was thought that the circumstances might be misconstrued, and that the Neapolitan Government might take a different view of the transaction; and Her Majesty's Minister at Naples was told, if any complaint was made, to explain that it happened to be done inadvertently, and without any hostile intentions whatever towards Naples. We were willing to give that explanation. But when the hon. and learned Member says we went against the invariable practice, and against the law of nations, to supply arms to one of the belligerent parties, I beg leave to inform him there is at least one nation which does not act upon the principle he has laid down. The Government of France are in the habit of constantly selling, indiscriminately, to any party who wishes to purchase them, arms out of the public stores. There is, therefore, one country at least which does not hold the hon. and learned Member's doctrine. In conclusion, I repeat that I have no objection to the Motion, if the hon. and learned Member will consent to leave out all those words which involve the political opinions of the hon. and learned Gentleman upon the merits of the case, as between the King of Naples and his Sicilian subjects.

Sir J. WALSH said, the noble Viscount the Secretary of State for Foreign Affairs had entered into an unusually discursive course on the present occasion, and had been tempted, very much contrary to his wont, into a general discussion of the politics of Europe. He had spoken of the commanding position occupied by this country in the eyes of Europe, and of the general assurances of good-will which she received from foreign Powers. He had also entered, without waiting for the papers of which he had spoken, very much into the merits of the Sicilian question, and had more than indicated his belief that the Sicilians had very good grounds for their quarrel. He would, however, rather follow the noble Lord's precept than his example, and defer any discussion of the general question till they had before them the long-deferred papers. He would only mention one point which the noble Lord had omitted on this occasion, although he had referred to it on the Motion of the hon. Member for Buckinghamshire, on Italian affairs. The noble Lord had remarked more than once that the Earl of Minto had interfered in the affairs of Naples and Sicily at the request of the King of Naples; but on the former occasion to which he had alluded he had understood the noble Lord to say, that the Earl of Minto was on the point of arranging all points of difference, on satisfactory and amicable terms, between the King of Naples and his Sicilian subjects, and thought he would have accomplished that object had not the Sicilians, in consequence of the stimulus and excitement imparted by the events of February, broken from all the stipulations which had been made by the Earl of Minto, and nearly agreed upon. This he thought an important point, as showing that it was the Sicilians who rejected the terms proposed by the Earl of Minto. The question more immediately before them lay in a very narrow compass, and did not necessarily include any reference to the merits of the quarrel between the King and his Sicilian subjects. It was simply this, were we neutral in the struggle going on between Naples and Sicily—was the position of England that of a neutral Power—and, if so, was this transaction inconsistent with the position and character of a neutral Power? That was the plain question which was raised by the Motion of his hon. and learned Friend the Member for Dorsetshire.

It appeared that a contractor applied to the Ordnance for some of the Queen's stores, for the purpose of sending them to Sicily; that the Ordnance applied to the noble Lord, and that they received the sanction of the noble Lord for issuing those arms out of those stores. It did appear to him (Sir J. Walsh) that this veil of the contractor was so transparent and thin a pretext that it utterly failed. It was impossible to argue with the perfect knowledge of the facts which the Government seemed to have had, the contractor not concealing the purpose for which he applied for those arms, but that it was just as much the act of the noble Lord and the Government, as if they had directly sent those arms on the application of the Sicilian Government. If there was a difference, there was something unworthy the character of a great nation in effecting their object by so indirect a means. That was not the whole of this transaction. The noble Lord had very acutely dwelt at considerable length on those general topics, but had scarcely adverted to the Motion of his hon. and learned Friend. He disposed of it in his light easy flowing strain, in some five or six sentences, and then he sat down; but the whole of this transaction was not even now fully before the House of Commons. It appeared that there was a reconsideration of the question. The act of the noble Lord had come more formally before the consideration of the Government, and it appeared that the act of the noble Lord was not approved of by the majority of his Colleagues. His hon. and learned Friend had remarked that the House of Commons was almost the only society in which topics relating to foreign affairs were almost tabooed—a subject on which the House was scarcely allowed to enter; but there was another society in which there was a similar exclusion, and that was the Cabinet. It appeared the noble Lord monopolised the whole management of those things without any communication with his Colleagues, and that afterwards when those subjects were brought on more formally, the Government felt it necessary to disavow them; and then instructions were given by the Government to its Ambassador at Naples, that if any explanation was demanded it should be said to the Neapolitan Government, on the part of Her Majesty's Government, that such a step was inadvertently taken and without due regard to the consequences, and taken hastily and without fully weighing the construction that might be placed upon it. That was a position in which he deeply regretted to see this country placed. Those apologies and those retractations for that equivocal and clandestine act, struck at the honour, the character, and reputation of this great country. He did say, when the noble Lord dilated in his easy flowing manner on the moral force which England possessed, and on the weight which was naturally attached to her great character in all her diplomatic relations, transactions and proceedings of this kind, underhand in the first place, and disavowed and apologised for in the second, were calculated to weaken and destroy that moral force. That was the real ground, and the very narrow ground on which the question stood. Neither his hon. and learned Friend or himself intended on the present occasion to raise the general question of the politics of Sicily, or to go over the field of Neapolitan and Sicilian affairs. His hon. and learned Friend made this distinctive Motion in order to invite the attention of the House to the matter which he had brought before it.

Mr. MACGREGOR said, if he had known this question would have been brought under discussion, he would have brought facts and statements to bear upon it which would have given it a very different complexion. He would say, if the noble Lord the Secretary for Foreign Affairs could have been justified in any interference whatever with the affairs of other countries, it would have been in the affairs of Sicily. He did not think there had been anything like that interference with which the noble Lord was charged. He (Mr. Macgregor) knew that country well, and had travelled over many countries called despotic, but in no country did he ever see so many military executions for presumptive crimes as in the island of Sicily. The Sicilians had acted with the greatest harmony, and there was the greatest domestic tranquillity. With respect to what was done either by the English or French admirals, he considered it was neither more nor less than two gentlemen walking across a field, who interfered to prevent a great many people from ill-using a woman and her children. That was what was done at Messina. There never was a greater act of humanity than that performed by Sir William Parker with regard to the people of Messina. He had no hesitation in saying the noble Lord the Secretary of State for Foreign Affairs had done more to preserve the peace of Europe since the beginning of 1848 than any Minister who had ever had the management of foreign affairs in this country. He said that not from any personal feelings, but merely from his own actual experience and personal knowledge, and the communications which he received from other countries.

Mr. J. O'CONNELL congratulated the House upon the full, frank, and absolute admission made by the noble Lord the Secretary for Foreign Affairs, of the natural and just right of nations to the management of their own affairs. He trusted, after this, he should have the benefit of the noble Lord's support when Ireland came to make the same appeal. The case of that country was, at least, equally as strong as that of the Sicilians, whilst, with the exception of a miserable pretext for an insurrection last year among a very small section of the people, she had advanced those rights only by peaceable and legitimate means, which the Sicilians had endeavoured to obtain by blood and rebellion. He congratulated the noble Lord upon this approach to better counsels, and upon his entire recognition of the compatibility of the legislative and administrative freedom of Sicily with the rights of the Crown of the united kingdom of the Two Sicilies. He would find the same compatibility in Ireland towards the Crown of England, if he would only try it. The noble Lord had said there was no divine right in kings to misrule a country. Neither was there any divine right in Parliaments to misrule a country. Nations, he said, speaking of Sicily, were not made for sovereigns or governors. Neither was Ireland. The noble Lord had spoken of the ancient Sicilian constitution, and of its perfect recognition at a former period by Naples. In the same manner he (Mr. O'Connell) might allude to the ancient Irish constitution which had existed for 500 years, and to its distinct recognition in 1782 by the English Parliament, when an Act of Parliament was passed in this country declaring that the Irish Legislature was to be free for ever. But he should not enter further on this subject, as he was sure he muet have the support of the noble Lord in a Motion for the repeal of the Union, as of course the noble Lord would not be so inconsistent as to oppose such a measure after his speech that day. There was only one other point on which he would beg leave to make a single remark, and that was the mission of the Earl of Minto. The noble Lord the Secretary for Foreign Affairs had described that mission as having been one of peace and conciliation; but in the absence of the papers referring to it, the House could only judge of the character of the mission by its results. The Earl of Minto first went to Switzerland, and his interference there ended in the persecution and oppression of the minority. He then went to Rome, where he made himself prominent by fraternising with Sturbini, by patronising Ciceromachio and his friends, and by cheering a disorderly mob from a balcony. The noble Earl's next visit was to Sicily, where his efforts were followed by scenes of barbarity and bloodshed that shocked even the noble Lord himself. If such were the results of what the noble Lord termed a mission of peace and conciliation, he should be glad to hear what the noble Lord considered a warlike mission would be.

Mr. HENLEY said, that the noble Viscount the Secretary for Foreign Affairs had made no effort to justify his interference in Sicily, but had put forward one of his hon. supporters on the bench behind him (the hon. Member for Glasgow), to perform that task. The question before the House was the simple and narrow one of the propriety of interfering with people who were fighting in another part of the world; but though the noble Lord had said a great deal on every other subject, he had not made a single allusion to this main question, except one incidental but very remarkable one. The noble Lord had shown extreme sensitiveness — or something more — lest there should be any expression in the resolution that might in any way pledge the House to any opinion as to the matter in dispute; but it was very strange that the noble Lord should, in the very same breath, have himself used the terms "Sicilian Government," with regard to the revolted subjects of the King of the Two Sicilies, while he was so thinskinned lest a word that might be construed into an expression of opinion should proceed from the House. The noble Lord's observation proved that he had himself, at all events in his own mind, recognised a Government in Sicily, distinct from that of the King. This observation of the noble Lord was followed up by the speech of the hon. Member for Glasgow, in which the hon. Member had expressed his conviction that the noble Lord had done more than any other statesman that ever lived to preserve the peace of Europe during the last year and a half. But surely it was a most extraordinary mode of preserving peace, to countenance the transmission of arms from the Queen's stores to be used in promoting rebellion among the subjects of another sovereign. And what justification did the noble Lord give of this strange proceeding? Why, that the Government of France dealt in arms. But the answer to this was, that the English Government had never done so, and that it was nothing to them what the Government of France might think fit to do in that respect. The only matter on which the House had a right to be thankful was, that the noble Lord had not as yet succeeded in breaking down that influence which a long perseverance in an opposite line of policy towards other nations had raised up for this country. But the experiment which the noble Lord seemed to be trying, of how far he could venture to go in the course he was pursuing, was a dangerous one to make, and was one that the House ought to be slow in sanctioning. The naval officers of this country and of France had felt themselves compelled, by feelings of humanity, to interfere in order to stop this war, which, probably, could not have been carried on at all, if the noble Lord had not allowed arms to be furnished from Her Majesty's stores. As to the subject immediately before them, no answer whatever had been given in justification of the course pursued.

Mr. HUME said, he rose principally in order to express his gratification at the high position in which, according to the noble Lord, this country stood, in being enabled by its moral force alone to preserve the peace of the world, because, when he brought forward his resolution at a future period for a reduction in the estimates for the support of the Army and Navy, he believed he could now fairly ask the noble Lord for his support on the occasion. The question before the House was a very simple one. That which occurred now might have occurred very often before, namely, that a contractor, having orders from different parties, might ask one party to allow a portion of the arms furnished under the contract, to be returned for the purpose of giving them to another party whose order was of a more pressing character. But at the same time it was certainly very unfortunate that the Government, after having decided to remain neuter in the contest, should have been a party to an act having so much the appearance of being of a partisan character. He did not blame the noble Lord for having done more than had been done by other Ministers at other times; but he thought that questions such as that should have been brought before the Cabinet in the first instance, so that they might be spared the necessity of witnessing one noble Lord, high in office, declare in another place, that this proceeding had not received the sanction of the Cabinet. He had no objection to the production of the papers, but he could not sit down without objecting to the simile of the hon. Member for Glasgow, that the interference in Sicily was as justifiable as that of two men who would act to prevent a woman being ill-treated in the fields. The officers in command of fleets and armies should not be at liberty to go to war, or to decline combats, according as their own private feelings dictated. They should on all occasions act strictly according to the orders they had received. He hoped that the House would have an opportunity of inspecting the letters accrediting the Earl of Minto to the different Courts, and also the instructions that had been furnished to him on visiting these several places. He trusted they would bear out the representation that peace was the object of the noble Earl's mission.

Lord J. RUSSELL: The hon. Gentleman the Member for Oxfordshire (Mr. Henley) has complained of my noble Friend having carried this discussion beyond the bounds of the Motion before the House—of my noble Friend having voluntarily taken that course, and having introduced other subjects into discussion; but the fact is, the hon. and learned Gentleman who brought forward the Motion introduced all those topics which have been characterised as irrelevant, and my noble Friend has done nothing more than follow, point by point, the statements of the hon. and learned Member, and given answers to them, which, I think, he has done in a tolerably satisfactory way. But it appears to the hon. Member for Oxfordshire that not only did he go into a great many statements totally irrelevant to this return, but also that the Motion conveys blame to the Government for what it has done in this matter. I certainly had not discovered anything of that sort in the Motion before the hon. Member for Oxfordshire told us of it. I had not been aware that a Motion of censure on a Government could have been implied in an application for an account of the number of guns sent back by the Board of Ordnance to the contractor at his request, which account had not yet been received by the House, and which the Government had shown no unwillingness to give. It was perfectly allowable for my noble Friend to say, "If you want papers, ask for them; if you want this account, ask for it; but do not, under pretence of asking for an account, make a statement which the House has no means of deciding upon at the present moment." That is, in fact, the short question at issue; and nothing more would have been stated if the hon. and learned Member for Dorsetshire had not gone into other questions, and the occasion seemed so tempting that every one else has taken advantage of it to get on his favourite hobby. The hon. and learned Member for Limerick gets up and says, "Here is a favourable opportunity for introducing a discussion on the repeal of the Union;" while the hon. Member for Montrose, on the other hand, cries out, "Here is a favourable opportunity for discussing the question of financial reform." In the same manner, the hon. and learned Gentleman opposite thinks that it is a good occasion for introducing his opinions with respect to the question of the dispute between the King of the Two Sicilies and his revolted subjects. Such is the result of the inconvenient precedent set by the hon. and learned Member. But there appears to be some doubt as to what has passed in another place, and what has fallen from my noble Friend on this question. The hon and learned Member said that my noble Friend has stated that what had been done was perfectly right, and that he was ready to maintain its propriety. My noble Friend said nothing of the kind. He stated what the Ordnance Board had done—that they had made an application to him, to which at the time he saw no objection, and that he accordingly gave his assent; and that this is the fact will appear when the papers are produced. But the hon. Member for Montrose has made this further statement, that a noble Friend of mine in another place had declared that whatever the opinion of my noble Friend at the head of Foreign Affairs might be with respect to the propriety of what was done, the Cabinet were of a different opinion, and that they had thought it necessary to disown the act, through the representative of this country at the Court of Naples. Now, nothing of this kind occurred. The circumstances which took place were these. Some months ago my noble Friend received this application from the Board of Ordnance. Probably he did not pay much attention to it at the time, and his reply was, that he saw no objection to what was required; not that the stores of the Queen should be denuded, and this country left without arms, but that some eight or ten guns should be given back to the contractor. Shortly after, my noble Friend, reflecting farther on the matter, proposed to his Colleagues a course which they adopted—namely, that instructions should be given to Her Majesty's representative at Naples to express our regret at what had occurred. So far from there being a difference of opinion between my noble Friend and his Colleagues on this matter, it was at the suggestion of my noble Friend himself that this determination had been come to. I certainly do not want to enter at present into the merits of this question—into the rights of the King of the Two Sicilies, as acknowledged and laid down by the Treaty of Vienna, and the rights of the people of Sicily, as guaranteed to be maintained to them by the hereditary Prince, and into the constitution which was set up in 1812, and afterwards overthrown. All these are matters which cannot well be understood without reference, not merely to the papers now before the House, but to other papers relating to the transactions which have taken place since 1812 and 1816; but, at all events, enough is known to warrant me in saying that these events do not justify the hon. and learned Member in saying that the Earl of Minto excited the insurrection in Sicily in the month of January, by going to Naples in February. The fact is, that the people of Sicily, finding themselves aggrieved, rose up in arms in the month of January; and before that time the Earl of Minto, understanding that it was very likely the King of Naples might wish to see him, wrote home to notify the circumstance, and to remark that he had no powers to visit the Court of Naples, and these powers were then sent to him. The Earl of Minto afterwards went to Naples, not to raise an insurrection in Sicily, but because the King of the Two Sicilies had applied to him, and had asked him to go to Sicily to treat with, what I will call, the Government of Sicily—that is, with those who were administering the Provisional Government in that island. I am told that no such Government can exist; but I would remind the House that it is not many years since there was a Provisional Government in Belgium—the Government of the King of Holland having been displaced—and that this country did not hesitate to treat with that Provisional Government. But then comes the hon. and learned Member for Limerick, who says, that the case of Sicily is entirely similar to that which he wishes to set up for Ireland. Why, if the Sicilians, having a Parliament of their own, had, through that Parliament, connected themselves with the Parliament of Naples, and had their representatives in that United Parliament ever since 1815 to the present time; and if the Sicilians had the benefit of a legal Government and of a constitution, to which they had agreed, by having adopted a United Parliament instead of a separate Parliament, which they before enjoyed; then I admit that if this state of things existed, there would have been some sort of resemblance between Sicily and Ireland, such as the hon. and learned Member wishes to make appear. Or else, if Ireland had her constitution put down, and her Parliament suppressed by an arbitrary decree of King George III.; and if she had now no representatives in this House; and if there were no statutes in force in Ireland that could ensure the people liberty of any kind—either personal or any other—then, indeed, I admit there would be also some sort of likeness such as that for which he contends. But, at present, the only likeness between Sicily and Ireland that I can see is, that which a little child in Sicily once described to a friend of mine, after expressing a wish that she could like to go to England by land. The child was told, "you cannot do that, because England is an island." "Oh, but why not; is not Sicily an island too?" Sicily is an island, and Ireland is an island too; but there the resemblance ends. But then the hon. Member for Montrose tells us, that as England has so much moral force, this is a good time to reduce the estimates. I think that is rather too hasty an inference, because the hon. Member must know that if we wish to retain that moral influence, it will depend a good deal on our being looked upon by other countries as a nation having considerable power to make its views respected by other nations. As to what the hon. and learned Member for Limerick has said about the Earl of Minto having endeavoured to excite insurrection in Rome, and in Italy generally, so far from that being the case, the noble Earl, when consulted by the Governments of those countries as to the amendments in their constitutions which he would recommend, did not feel it his duty to go so far in any case as to recommend a representative constitution for adoption. It should also be recollected that the King of Naples was the first to give a representative constitution to his subjects, and that that alteration was the beginning of the disturbances which afterwards took place at Rome, Tuscany, Milan, and other parts of Italy. Such I believe to have been the fact; and that the Earl of Minto, far from giving advice of too democratic a nature, advised the sovereigns of Italy, while they preserved their own independence, to make such useful and moderate reforms as would preserve their dominions from that which would be sure to follow if these useful and moderate reforms were refused. I believe that in Italy, as well as in the other countries of Europe, if the advice which the Earl of Minto gave in 1848 had been given, and given with success twenty years before—my belief is, that if Austria, Prussia, and Italy, and the sovereigns of Italy, had made these useful and moderate reforms—if they had allowed liberty of discussion—if they had gone so far as to allow some form of representation—if they had given an outlet to the intelligence and the desire for political power which the progress of knowledge and the long existence of peace, was sure to give rise to in Europe—far from having those bloody civil wars which have lately desolated so many parts of Europe—if that advice had been given, and given with success—we should have been spared the scenes of the past year, and instead of a transition from the most complete and absolute despotism to a wild and rabid democracy, we should have seen the peaceful progress of improvement, the introduction of constitutional modes of government, and a better state of things in Europe, generally, than now exists.

MR. URQUHART said, he should reserve what he had to say until the question came properly before the House. The noble Lord (Lord J. Russell) spoke as if he were not Minister of England, but ruler of Europe, as if the cares of every Government were on him, and did so after every Government had been upset or convulsed which he had pretended to put in order. The noble Viscount the Member for Tiverton had declared his readiness to meet every discussion when papers were produced, but took good care that time should never come. He would remind the noble Lord of one transaction when he urged the impossibility of producing papers when negotiations were pending, and the uselessness of doing so when they were over, in the same breath, and by that argument succeeded in evading a discussion ten years ago, on a most important matter, the Danube, which stood again for discussion next week. The noble Lord had employed that day his usual arm, a sneer, which the House had accepted in its usual manner, by a laugh. Foreign policy began to be interesting, because of the distinction of the noble Lord as a performer. The question before the House was the virtual infraction of the laws against furnishing arms. That act the noble Lord had acknowledged without qualification a few nights ago. Elsewhere it had been acknowledged, but with contrition—the word deliberately used was "regret." The Cabinet regretted what the noble Lord had done; and in face of that judgment, the noble Lord had again and now justified his act. When then the noble Lord stood up in that House as the advocate of rebellion, it was his own course that he defended, unless he were rather to be looked upon as the master of his Colleagues. If the noble Lord justified the conduct of the Sicilians, why did he not openly adopt that course, and ensure for them the constitutional rights which he insinuated England to be bound to obtain for them? The whole transaction was a tissue of perfidy. In the mouth of the Queen had been placed words which were in the Sicilian Parliament indignantly denounced, in face of her own representative, as calumny. The words in Parliament of Her Majesty's Government had met with similar derogation. The various statements of the noble Lord had met with direct and formal contradiction from the persons parties to the various transactions. He called upon the House to discard any consideration of the rights of the Sicilians; the question was the conduct of their own Government. Acts more questionable, assertions more bold, excuses more flimsy, contradictions more glaring, even their conduct had never presented before.

MR. BANKES, in reply, said the noble Lord the Secretary for Foreign Affairs had objected to the use of the word "insurgents" in his Motion. He was ready, if that would meet with the wishes of the noble Lord, to leave out that word; and he also proposed to alter the last clause of his Motion, in which it was stated that the arms were withdrawn with the consent of Her Majesty's Government. It now appeared that that was not the case; and therefore he proposed to substitute the words—with the consent of Her Majesty's Secretary for Foreign Affairs. His Motion then would run thus:—

> "Account of all Ordnance stores, returned from that department to any contractor in the year 1848, for the purpose of being sent to the Sicilians in arms against Her Majesty's ally, the King of the Two Sicilies, with the consent of Her Majesty's Secretary of State for Foreign Affairs."

If the noble Lord would agree to that Motion, he should be happy so to amend it. If not, he would say a few words in reply to the noble Lord. He never meant to say that the visit of the Earl of Minto was the cause of the Sicilian insurrection. What he said was this—that the knowledge of the noble Earl's credentials gave spirit and encouragement to the Sicilians, and in that sense greatly aggravated the insurrection. The noble Lord was pleased to say that the nation at large had cause to congratulate itself with regard to its foreign relations. Now, he had in his mind Brazil and the River Plate, and other States, with which this country was not on such happy relations as could be wished. He had in his mind Spain—perhaps Portugal, Greece. The noble Lord shook his head at the mention of Portugal; but it was important to state, that when he asked for information with regard to the tariffs of Spain and Portugal, he was told that they were laid on the table so long ago as March last. He had made every inquiry—he had inquired for them upstairs—he had asked the President of the Board of Trade—he had even applied to the hon. Member for Glasgow, but none of them knew anything of these tariffs. It was, he believed, this hunting after free-trade tariffs which had disturbed the peace of Europe. England made common cause with the free-traders everywhere, and this was a main ground of all that had since happened. He would now only further say that if the noble Lord would accept his Motion as he had amended it, there would be no need to trouble the House with a division.

Amendment proposed, to leave out from the words "sent to" to the end of the Question, in order to add the word "Sicily," instead thereof.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 39; Noes 124: Majority 85.

List of the AYES.

Arkwright, G.
Baillie, H. J.
Bankes, G.
Barrington, Visct.
Bennet, P.
Beresford, W.
Boldero, H. G.
Bruce, C. L. C.
Carew, W. H. P.
Cobbold, J. C.
Coles, H. B.
Conolly, T.
Duckworth, Sir J. T. B.
Duncombe, hon. O.

Fuller, A. E.
Gore, W. R. O.
Granby, Marq. of
Grogan, E.
Heneage, G. H. W.
Henley, J. W.
Hope, Sir J.
Mandeville, Visct.
Morgan, O.
Napier, J.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Packe, C. W.
Seymer, H. K.
Smyth, J. G.
Smollett, A.
Sotheron, T. H. S.
Spooner, R.
Tollemache, J.
Trollope, Sir J.
Urquhart, D.
Vyse, R. H. R. H.
Waddington, H. S.
Wodehouse, E.

TELLERS.

Walsh, Sir J.
Mackenzie, W. F.

List of the NOES.

Adair, R. A. S.
Aglionby, H. A.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bailey, J.
Baines, M. T.
Baring, rt. hon. Sir F. T.
Bass, M. T.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Birch, Sir T. B.
Blackall, S. W.
Boyle, hon. Col.
Brotherton, J.
Brown, W.
Buxton, Sir E. N.
Cavendish, hon. G. H.
Cayley, E. S.
Chaplin, W. J.
Cowper, hon. W. F.
Craig, W. G.
Crowder, R. B.
Davie, Sir H. R. F.
Duff, G. S.
Duncan, G.
Dundas, Adm.
Dunne, F. P.
Ebrington, Visct.
Ellis, J.
Elliot, hon. J. E.
Evans, W.
Fagan, J.
Ferguson, Sir R. A.
FitzPatrick, rt. hon. J.
Forster, M.
Fox, R. M.
Freestun, Col.
Gibson, rt. hon. T. M.
Glyn, G. C.
Goddard, A. L.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Hardcastle, J. A.
Harris, R.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, rt. hon. W. G.
Henry, A.
Heyworth, L.
Hodges, T. L.
Howard, Lord E.
Howard, hon. C. W. G.
Hume, J.
Jackson, W.
Jervis, Sir J.
Kershaw, J.
Labouchere, rt. hon. H.
Langston, J. H.
Lewis, G. C.
Littleton, hon. E. R.
M'Cullagh, W. T.
M'Gregor, J.
Maitland, T.
Marshall, J. G.
Marshall, W.
Matheson, Col.
Melgund, Visct.
Milner, W. M. E.
Mitchell, T. A.
Moffatt, G.
Morgan, H. K. G.
Morison, Sir W.
Morris, D.
Mulgrave, Earl of
Norreys, Sir D. J.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Perfect, R.
Peto, S. M.
Philips, Sir G. R.
Pigott, F.
Pilkington, J.
Pinney, W.
Plowden, W. H. C.
Price, Sir R.
Reynolds, J.
Ricardo, O.
Rich, H.
Robartes, T. J. A.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Salwey, Col.
Seymour, Lord
Smith, rt. hon. R. V.
Somerville, rt. hon. Sir W.
Stanton, W. H.
Stuart, Lord D.
Talbot, J. H.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornley, T.
Townley, R. G.
Townshend, Capt.
Vane, Lord H.
Walmsley, Sir J.
Ward, H. G.
Watkins, Col. L.
Westhead, J. P.
Williams, J.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.

TELLERS.

Hill, Lord M.
Tuffnell, H.

And it being Six of the clock, Mr. Speaker adjourned the House till To-morrow without putting the Question.

HOUSE OF LORDS,

Thursday, March 8, 1849.

Minutes.] Public Bills.—1ª Distraining for Rates; Petty Sessions.

3ª Commons Inclosure; Buckingham Summer Assizes.

Petitions Presented. From Clergy and Others, of the County of Meath, and several other Places in Ireland, against the Rate in Aid Bill.—From Guardians of the Letterkenny Union (Ireland), against the Rate in Aid Bill, and in favour of Emigration.—From Members of the Grand Protestant Association of Loyal Orangemen, and Others of Rawenstall, and other Places in Ireland, against the Endowment of the Roman Catholic Priesthood.—From Members of the above Association, and Others, for the Abolition of the general Rule adopted by the Government respecting the Grants in Aid of Public Education.—From Burnley, for certain Alterations in the Law relating to Beer Licences.—From Whalley, for the Adoption of Measures for the Suppression of Seduction and Prostitution.—From Whitstable, against the Repeal of the Navigation Laws.—From the Parish of St. George the Martyr, Southwark, for the Repeal of the Law of Settlement.

THE PALACE COURT.

Earl FORTESCUE said, he rose to move an humble Address to Her Majesty, praying that Her Majesty would be graciously pleased to order to be laid before the House a copy of the patent of Charles II., establishing the Palace Court. It would be in their Lordships' recollection, that, near the close of last Session, he moved for certain returns connected with that court. Those returns were now on the table, but he regretted to find that they were not so satisfactory as they ought to be. He had moved for a return showing the amount of costs in each case; but the returns furnished by the officer of the court only stated that the amount of costs averaged from 4*l.* 15*s.* to 6*l.* Now, although this might be a fair average of the general amount, he believed that it by no means fully represented the maximum of costs paid by suitors in the Palace Court. The subject was a very important one, when it was considered that since the passing of the Small Debts Act, the number of cases in this court had increased from about 450 a year, to 1,149. There were four counsel and six attorneys who practised in this court, and who paid a considerable sum for the exclusive privilege. He thought the system of selling the right of practice to counsel and solicitors was highly objectionable, and that a court of such a nature was a grievance and source of extortion which ought to be abolished; but where vested interests had to be dealt with, the Legislature must not wholly put out of view the question of compensation. As he was anxious that the House should possess the fullest information on this subject, he now moved for a copy of the patent establishing the court.

LORD BROUGHAM said, that the subject was a very important one, and he was glad that it had attracted the attention of his noble Friend. He, however, thought it would be better to amend the constitution, without altogether destroying this ancient court.

Motion agreed to.

BUCKINGHAMSHIRE SUMMER ASSIZES BILL

The MARQUESS of LANSDOWNE moved the Third Reading of the Buckinghamshire Summer Assizes Bill.

The DUKE of BUCKINGHAM said, that he had been entrusted by the inhabitants of the town of Buckingham with a petition against this Bill. They believed that the change would not be for the benefit of the county. At Buckingham there was an excellent town-hall, and the best accommodation for the Judges, and, therefore, they conceived that it would be unfair, in consequence of a mere whim of the magistrates, to remove the assizes from their town.

The MARQUESS of LANSDOWNE defended the Bill on the ground that Aylesbury was a more desirable situation for the assizes than Buckingham.

Bill read 3ª, and passed.

House adjourned.

HOUSE OF COMMONS,

Thursday, March 8, 1849.

MINUTES.] PUBLIC BILLS.—1° Marriage (Scotland); Registering Births, &c. (Scotland); Poor Laws (Ireland) (Rate in Aid).

PETITIONS PRESENTED. By Mr. Goulburn, from the Presbytery of Arbroath, against the Parliamentary Oaths Bill.—By Mr. Hardcastle, from Colchester, and from a Number of other Places, in favour of the Abolition of Church Rates.—By Mr. Locke, from the Firm of Johnston, Farquhar, and Leech, for the Production of certain Documents connected with the Great Western Railway (Ireland) Bill (1845); also those concerning the Midland Great Western Railway of Ireland Bill (1846), and Railway Bills (1847).—By Mr. Blakemore, from the Borough of Wells, and by Mr. Long, from Trowbridge, for the Suppression of Promiscuous Intercourse.

DIPLOMATIC RELATIONS WITH SPAIN.

MR. URQUHART rose to put a question to the noble Lord the Secretary of State for Foreign Affairs, of which he had given notice. It was stated in the Spanish paper, the *Clamor Publico*, which he believed was the noble Viscount's organ in that country, that the negotiations which had been going on for some time past, with the object of reopening diplomatic relations with England, had been brought to a successful termination. He wished to know from the noble Lord in what state those negotiations really were; and whether, if they were closed, the papers and correspondence relating to them would be laid before the House? Another question he wished to put to the noble Lord was, whether there would be any objection to lay on the table the correspondence and explanation relative to the expulsion of Sir H. Bulwer from Madrid, brought to this country by Count Mirasol, though not officially received by Her Majesty's Government.

VISCOUNT PALMERSTON: With regard to the first question which had been put to him by the hon. Member, he had no communication to make to the House, except that the statements referred to were not true. As to the second, whether he was prepared to lay on the table the communications brought by Count Mirasol, his answer was, that he had them not, and, therefore, could not produce them.

THE CONVICT SYSTEM—TRANSPORTATION.

VISCOUNT MAHON rose to call the attention of the House to the instructions issued in the years 1846, 1847, and 1848, with respect to the transportation and discipline of convicts. The noble Lord commenced by observing, that it was evident, from the papers laid upon the table of the House, that the ground between him and hon. Gentlemen opposite had been much narrowed. The noble Earl the Secretary for the Colonies had again and again declared that transportation should be disused, and that we ought to provide for our convicts by the use of hulks, and by the construction of penitentiaries at home. That was the ground which the noble Earl in former years, as a Member of this House, had been accustomed to assume. Now he (Lord Mahon) certainly could not consider it a matter of blame against the noble Earl, that he had, in dealing with a most intricate and delicate subject, been led greatly to modify his views. But what he did complain of was this—that Earl Grey had cast aside some valuable recommendations of his predecessors, and had issued instructions which seemed to be liable to the imputation that they had been decided upon with imprudence and precipitation. In the statement which he should make in support of these charges, he would show that Earl Grey had, since his accession to office—nay, in the short space of twenty months—changed his views on this subject no less than five times. He (Lord Mahon) now trusted that he would be able to elicit from Her Majesty's Government some distinct statement of their present proceedings and intentions upon this question. The main principle, compared to which other points were but matters of detail—the main principle for which he contended was—that criminals, when the term of their punishment had passed, should not be thrown again upon the scene of their former crimes. Now, the difficulties of the whole subject had been greatly increased by two orders which had been issued by the noble Lord, now the Prime Minister, when Secretary for the Colonies. He had issued one order for the sudden abolition of assignment in the Australian colonies; and another for the immediate abolition of transportation, so far as New South Wales was concerned. Both these orders took effect in 1840, and both were attended with evil consequences; at the same time, he must candidly state the circumstances under which the noble Lord had acted. The Transportation Committee had just made their report; and the evidence collected by it had not been contradicted as it now was by fuller and more correct testimony from the colonies. The noble Lord had acted in conformity with the general opinion entertained at the time; he had a state of imperfect and one-sided information to excuse him; but nevertheless the effects of his measures were most disastrous. He (Lord Mahon) would first allude to the abolition of transportation to New South Wales. What had been the immediate effect of that measure? There was, in the first place, a rapid accumulation of convicts in the hulks in this country—an accumulation which was productive of much evil, and was loudly and justly complained of at the time. At that period, namely, in the month of March, 1841, he moved a resolution in the House against any increase in the number of prisoners at the hulks; and so strong was the feeling with respect to the matter of that resolution, that, although it was strongly opposed by the Government, it was affirmed by the House. A few months after that vote, it happened that the Government of that day went out, and its place was taken by the Administration in which Lord Stanley was Secretary of State for the Colonies, and the right hon. Baronet the Member for Ripon (Sir J. Graham) was the Home Secretary. In the ensuing year, that is, early in 1842, he (Lord Mahon) addressed a question to the right hon. Baronet as to how far he would consent to be bound by the resolution which had been moved in the previous March. Now, the right hon. Baronet had two courses open to him: if he disagreed with that resolution, he could ask the House to rescind it; but if he concurred in it, he would be bound to act upon it. The right hon. Baronet answered that he would abide by the decision of the House; and, accordingly, under that Administration, the number of convicts at the hulks was not increased. But another evil was the result—the number of convicts in Van Diemen's Land was unduly increased. Under the system which prevailed until the year 1840, not less than 3,000 or 4,000 convicts were divided between New South Wales and Van Diemen's Land every year. By the order of the noble Lord (Lord J. Russell), the entire number were confined to Van Diemen's Land alone. That was more than that colony could bear. In now reverting to this part of the subject, he felt bound to consider how this system had been administered in the colonies at the time. It was a subject which, he confessed, he approached with pain and dislike; but when a system was arraigned, it was necessary to inquire whether the fault was in the system or in those who administered it. Lord Stanley appointed Major Childs as Governor of Norfolk Island. In making that appointment, the noble Lord had been actuated neither by political nor private motives. Major Childs, he believed, had been a resident at Devonport, and a consistent supporter of the Members for that borough—Members who opposed the Government to which Lord Stanley belonged. No doubt, also, that Lord Stanley was furnished with sufficient testimonials of Major Childs' abilities for the post. But the results of that appointment were unfortunate, a strong case having been made out against Major Childs for his share in the government of the colony. After the outbreak which had occurred in the island, early in 1846, Mr. Stewart was despatched from Van Diemen's Land to inquire into the causes of it. He found upon investigation that the system of confinement was one of the worst description; that convicts of the most hardened character were confined together in dark dormitories without partitions, and that they were confined fourteen hours out of the twenty-four, in order that the persons connected with the establishment might have their evenings to themselves. He (Lord Mahon) would not shock the feelings of the House by referring to the horrors which resulted from this system. Mr. Hampton, who was sent to the island in 1848, gave some further painful information as to the former state of the prisons, adding that the more desperate ruffians were permitted to seize the rations of the weaker ones, and that the conditions upon which those weaker prisoners were fed, were frequently that they should do the bidding of the rest. So much for Norfolk Island. As to Van Diemen's Land, the first step which Lord Stanley took was to offer the governorship of that colony to a gentleman, then and now a Member of that House, perfectly well qualified for the post, but who, however, on account of illness in his family, could not accept it. Afterwards Sir Eardley Wilmot had been appointed, from whom, on account of his long chairmanship of quarter-sessions, much had reasonably been expected. He did not wish to speak harshly of any one—far less of any one deceased; and the House was perfectly aware that most painful discussions had already taken place in that House with respect to Sir Eardley's policy. He (Lord Mahon) would only state now that those who had read the recent despatches of Sir William Denison must have been struck by his ability and aptitude for business, and must also have been struck at the great contrast they presented to those of his immediate predecessor. The failures in the colonial administration at that time were not owing mainly to the system, but were the result of errors in those who administered the system. By the rule drawn up by the present Prime Minister, all the convicts were at that time sent either to Van Diemen's Land or to Norfolk Island. When the stream of colonisation was divided, and extended also to New South Wales, it was only sufficient, as it were, to fertilise the land; but the concentration of that amount of criminals into one colony made it a loathsome sink of all pestilence and infection. Van Diemen's Land, suffering from this importation, complained to this country, and asked for a remedy. The complaints of the colonists reached this country early in the spring of 1846. At that time the office of Secretary for the Colonies was filled by the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), and he, in conjunction with the right hon. Baronet the Member for Ripon, came to the conclusion that it was necessary to suspend the tide of transportation to Van Diemen's Land for two years. That transportation was accordingly checked. But the right hon. Gentleman the Member for the University of Oxford accompanied this check by another measure. Lord Stanley had, some time before, sanctioned the establishment of an additional colony in North Australia, for the reception of convicts; and the right hon. Gentleman the Member for the University of Oxford was prepared to carry out the plan. He (Lord Mahon) had now brought these affairs up to the time at which Earl Grey became Colonial Secretary; and, as he had said, he was prepared to show that Earl Grey, between November, 1846, and June, 1848, had announced five distinct changes in his views with respect to this branch of colonial administration. On the 15th November the noble Earl wrote to Sir Charles Fitzroy, countermanding the instructions given by Lord Stanley, and sanctioned by the right hon. Gentleman the Member for the University of Oxford. By one stroke of his pen he abolished the entire plan for the establishment of this additional colony. But was this the only false step which he made at that time? Earl Grey, on the 5th of February, 1847, wrote to Sir W. Denison—

> "I have to inform you, that it is not the intention of Her Majesty's Government that transportation to Van Diemen's Land shall be resumed at the expiration of two years, for which it has been already decided it shall be discontinued."

Now, was it right, by a decision of this kind, for Earl Grey to fetter the discretion of a successor in his office? But he thought he could show that the noble Earl was himself bound and fettered in the present change of his views by the determination which he had expressed to Sir Charles Fitzroy. On March 5, 1847, he found Earl Grey stating in the House of Lords, that—

> "The change intended was of no less extent than a virtual abolition of the system of transportation which had for so many years prevailed under

different regulations and modifications as to the mode of punishment."

A little further on, in the same speech, he found the noble Earl adding—

> "I have already said, that the change which Government has considered ought to be introduced extends to no less than a virtual abolition of transportation; because, when I speak of transportation, I do not include the punishment of offenders at Gibraltar or Bermuda."

Now, let it be remembered, these were words which were not addressed to the House of Lords alone. They were read in the colonies, they were read in Van Diemen's Land, and were interpreted into a pledge and promise that the system should be discontinued. That view of the case was further confirmed by a Minute, dated January 20, 1847, from which it appeared that the convicts were not to be sent out on any account collectively, but individually — that in such individual cases facilities to emigrate to other countries besides the late penal settlements were to be afforded. The intention then was to refrain hereafter from sending them out in one mass to the Australian colonies; and this project accorded well with what Earl Grey had so imprudently promised previously in his despatch to Sir William Denison. Now, that was the first phase of Earl Grey's opinions on the subject. On the 3rd of June, 1847, they arrived at the second phase. Then suddenly, in the midst of a debate in this House, it was announced by the Home Secretary that a most important change had taken place in their intentions, that the removals from this country would not be collective, but individual, and that such colonisation would be not to any other countries, but, as before, to the Australian colonies. Now, how did that decision accord with the previous instructions given to Sir William Denison? The third phase in the noble Earl's opinions would be seen in a despatch sent to Sir W. Denison, dated April 27, 1848, in which his Lordship announced to Sir W. Denison, that the Government considered it necessary that the additions to the population of Van Diemen's Land should not entirely, or even principally, consist of those tainted with crime, and that he was persuaded a pecuniary mulct was due on account of the number of convicts we sent to the colony. The noble Earl spoke of the desire of the Government to aid in the importation of free emigrants—to neutralise the effect of the influx of convicts; and he added that Parliament would be asked for funds for the purpose of assisting free emigrants to Van Diemen's Land. Here was the third phase. On reading this despatch, which was laid before Parliament, he (Lord Mahon) publicly asked the hon. Gentleman the Under Secretary for the Colonies (Mr. Hawes), what amount of money Earl Grey intended to propose for these emigrants? He said 10,000*l.* Now came the fourth phase in the noble Earl's opinions, which would be found the most surprising of all. About a month afterwards, Earl Grey departed from his own principle of compensation, stating that he had come to the conclusion that only a portion of the 10,000*l.* should go to Van Diemen's Land, and that the remainder should go towards assisting in emigration to other colonies; such colonies, having received no convicts, and not being entitled to compensation. This alteration in the views of Earl Grey, appeared from a speech of the hon. Under Secretary for the Colonies, in a debate upon a Motion of the noble Lord the Member for Bath (Lord Ashley). It was on the 6th of June, 1848. That noble Lord (Lord Ashley), speaking, as usual, with great pathos and power, and with the most benevolent views, had asked that public money should be devoted to the purposes of juvenile emigration; and the hon. Under Secretary said that a portion of the Van Diemen's Land fund would be so devoted. At the time while he (Lord Mahon) was speaking on that Motion, the hon. Under Secretary had got up and said across the table that he had not spoken of emigration "to the Australian colonies, but chiefly to the Australian colonies;" and the same hon. Gentleman, afterwards rising "to explain," declared that upon a former occasion he had not meant to confine his answer to Van Diemen's Land, but that the Government meant to apply the 10,000*l.* for the purposes of emigration to other colonies also, and not Van Diemen's Land alone. Why, the ink of the despatch of the 27th of April was then scarcely dry. A fifth phase in the noble Earl's opinions now broke upon the view. Not long after the statement of his Under Secretary, Earl Grey found fault with his own last decision, and reverted to his first; he repented him of his repentance; and declared that the 10,000*l.* would not be devoted to the purposes of emigration to Australia generally, but only to Van Diemen's Land. Thus did the noble Earl happily accomplish the fifth phase, or change, in his opinions. Now, in making these references, he (Lord Mahon) desired to be understood that it was not in the way of taunt; but he was of opinion that it was most impolitic and perilous thus to make pledges to the colonists which were not fulfilled. From the last collection of papers laid upon the table of the House, it would subsequently also appear that great changes had been wrought in the opinions of Earl Grey on these subjects. Take the case of Norfolk Island, with respect to which Earl Grey's opinions had gone round to all the points of the compass. At first the noble Earl was of opinion that Norfolk Island was the most proper place that could be selected for a penal colony. His first expressed opinion was, with respect to punishment of convicts abroad —expressed so far back as 1838 while Secretary at War — "I think that Norfolk Island is the best situation yet suggested;" afterwards he declared that, owing to its distance, 1,000 miles from the nearest land, it was a most unfit place; that no place was so bad, and that all its establishments should be instantly abandoned. But the noble Earl appeared to hold now an intermediate opinion on the subject, and to be prepared to retain the settlement with a reduced number of convicts, adopting the recommendation of Sir W. Denison, that, now the number of convicts was limited, it was on many accounts a desirable and useful penal settlement. But who had urged the introduction of a larger number of convicts in that island? Earl Grey himself, who had said in 1838 that "immediate orders ought to be sent to Norfolk Island to prepare for an increased number of convicts." Now, he could not recognise in the transactions to which he had alluded, any symptoms of an uniform and consistent plan of action for reformation in our penal system, or for any improvement in the condition of the convicts. He felt difficulty in alluding to the present state of the question, because the intentions of the Government were by no means clearly set forth in the papers laid before Parliament. The hon. Member for Montrose, and others, had truly stated that the policy of the Government was not intelligible; and one of his (Lord Mahon's) motives in bringing forward the present Motion was to elicit from the Government their intentions with respect to these important affairs. With respect to the principle which he thought should govern Parliament in legislating on this subject, he was decidedly of opinion that it was unwise to allow the convict, after the expiration of his term of punishment, to return to the scene of his former crimes. Agree on the principle in this respect, and all the rest was mere matter of detail. The ill effects of convicts returning to the scene of their crimes were not greater to the mother country than to themselves. The governor of Millbank Penitentiary, a few years ago, had given very important testimony on this point, showing that a person who had once been tainted with crime, and who had suffered the penalty of that crime, was, however sincerely reformed in heart, yet a ruined man in the town or district in which the offence was committed. Such were the obstacles to a man's retrieving himself in the country in which he committed his crimes—so great was the difficulty of obtaining honest employment and of shunning the evil associations of earlier days—that it was not an unusual occurrence for a man to return again to the governor of the prison, and implore him for the love of God to take him back again to the walls of the dungeon where he had previously been confined, rather than let him go free and be driven once more into sin and shame; but the governor, however willing he might be, had no power to comply with any request of that kind. This was the evil with regard to the convict himself. With regard to the evils inflicted on the country, could it need many words to prove that the results must be most injurious to England herself, if large masses of persons from her penitentiaries and penal establishments were thrown back upon her soil? His own opinions on this subject had derived fresh strength from considering what had passed in France last year. There were now persons in this country, with some of whom he believed the right hon. Baronet the Secretary of State for the Home Department was well acquainted, who, watching closely the events which had occurred in France in February, 1848, had stated to him (Lord Mahon) that they deemed one of the foremost causes of the late events in Paris to be the accumulation of convicts from the *bagnes* at Toulon and Brest. Those men, debarred from honest industry, and resting under a brand, were of course in the van of disaffection in France. The gentlemen to whom he referred had expressed in the strongest terms their conviction that England owed much of her security to the fact that released criminals were not let loose upon the mother country. He was not now adverting to the case of special pardons; but, speaking generally, he thought that nothing could be more dangerous than to suffer prisoners, after the expiration of their term of imprisonment, to return to the sphere of their former crimes. With respect to the comparative advantages of imprisonment at home previous to the transportation, or imprisonment in the colony after the transportation, he admitted that imprisonment at home was under better superintendence; that the country had the benefit of convict labour in the home prisons; and that by keeping convicts at home, until after they had gone through a reformatory process and course of moral discipline, you did not expose them so early or so unprepared to the contaminating influences of the passage out. But there were those features in the question which hardly allowed the House to consider this question of imprisonment whether to be at home or abroad as an abstract proposition. He alluded to the vast accumulation of prisoners in the prisons in England and Ireland, and the evils which resulted from that accumulation. No doubt the right hon. Secretary for the Home Department had received many representations on this subject. The hon. Member for Kerry (Mr. H. Herbert) had the other evening made some significant remarks on the subject; and it was only yesterday that a magistrate of Yorkshire, a gentleman distinguished in the commission of the peace, had informed him (Lord Mahon) that some of the gaols in that part of the country were so choked and filled that magistrates were prevented from committing persons to prison who deserved that punishment. He wished the House to recollect that improvement in prison discipline could not under present circumstances be effected; for the moment they filled the gaols beyond what they were capable of accommodating, that moment they were compelled to suspend all their reformatory projects, and they were obliged to revert to the state in which they had been before. On the whole of this question, then—treating this point concerning the English prisons more briefly than he could have wished—he would say that the preliminary punishment must, in the present state of the law, be left to the descretion and judgment of Her Majesty's Government, but that they were bound not to lose sight of the considerations he had mentioned, and that they were also bound to provide by some means or other that accumulations should not take place in prisons in such a manner and to such an extent as should destroy the ends of justice, and neutralise those reformatory plans of discipline which had been so justly approved and applauded throughout the country. He would now come to some practical suggestions connected with this subject. The first that occurred to his mind were those that had been mentioned in several recent publications by Captain Maconochie, who had zealously devoted his time and abilities to the subject of the reformation of convicts. Although Captain Maconochie had brought forward several suggestions of great practical utility and value, and although he had a desire to speak with every possible respect of that gentleman, still he did not think he deserved that unlimited and indiscriminate confidence which he received from many persons who pressed forward his recommendations as of paramount value. Nobody in this House surely could, for instance, concur in the disproportionate importance which Captain Maconochie attached to teaching the convicts music, which Captain Maconochie said he believed to be eminently social, exercising an elevating and ennobling influence over the prisoners, and keeping up a kindly sentiment amongst them. In pursuance of these views, and at the urgent request, as it was stated, of Captain Maconochie, Sir George Gipps, in a despatch which he had sent home in the year 1840, stated that he had been induced to expend double the amount of money which he expended upon books of instruction for the convicts in the purchase of musical instruments for them. Now, he (Lord Mahon) was prepared to find many varieties of opinion as to convict discipline; but he certainly should be surprised if he were to see any single Member of that House stand up and say that he thought it desirable in the management of criminals to spend twice as much on harps and fiddles as on books. Then, as to the suggestions which he himself had to offer, the first related to the colony of North Australia, which had been sanctioned by Lord Stanley, but which was now abandoned, after the expenditure—as appeared from the returns he had moved for last year—of no less a sum than 15,402*l*., incurred in its settlement. Now, he would venture to submit for the consideration of the Colonial Office, whether, late though it was, great advantage would not result from resuming Lord Stanley's plan, and from constituting the convicts the pioneers of free emigration in that region. In the petition from Van Diemen's Land, last year, among the grievances enumerated, the abandonment of the project which Lord Stanley had formed, and which Mr. Secretary Gladstone was preparing to carry into effect, constituted one of the grounds of complaint. With regard to New South Wales, when the noble Lord the present Prime Minister abolished the system of transportation there, the colonists of New South Wales petitioned against such a step. This petition was agreed upon at a public meeting, and was presented to this House on the 4th of May, 1840, by the late Mr. Charles Buller, who was certainty no mean authority upon those questions. The petition stated—

> "That in the opinion of the petitioners transportation had proved an admirable means of punishment, as well as for the moral reformation of the convicts; and further, that whilst the transportation of prisoners relieved the pressure of competition in the labour market of the mother country, aggravated as it was by the labour of the convicts in the Penitentiary competing with the industry of the poor but honest classes in England, it was at the same time a great advantage to the colony, and added to the demand for labour at home by increased consumption of English manufactures, the raw materials for which were also raised in the colony almost entirely by convict labour."

It was, however, imagined by the Home authorities, that, so far as the New South Wales colonies were concerned, the want of labourers would soon be remedied by free emigration. The report of Mr. Merewether, dated May 14, 1842, stated, that in the year preceding, no less than 19,523 free emigrants had arrived, at the expense to the colony of 327,106; and it appeared that in a subsequent year the number amounted to 23,200. No wonder Lord Stanley, in a despatch dated February 8, 1842, said—

> "He was strongly inclined to believe that the supply of labour furnished will have been at least equal to the demand, or, at all events, to such a demand as would realise the fair expectations of the emigrants."

Yet the cry arose, that the supply was insufficient. In a report of the Committee of Immigration at Sydney, dated August 25, 1842, and signed by the Bishop of Australia, as Chairman, it was stated, that—

> "During the last twelve months, immigration has been carried on to an unprecedented extent. Nevertheless, these new arrivals, with exceptions too few to affect the main position, have rapidly found engagements, at wages which, though somewhat reduced, are still sufficiently liberal to satisfy any reasonable expectations. But it appears most obvious, that there exists a continued necessity for the introduction of immigrants."

The Committee proceeded to say, they were—

> "most strongly persuaded, that unless measures be taken for the resumption of emigration not later than the spring and summer of next year, the want of labour will be felt as injuriously here as ever, and wages will rise to their former exorbitant rate."

At the present time the necessity of more hands for labour is represented on high authority as more urgent than ever. The Rev. Bragley Naylor wrote as follows to the Legislative Council of New South Wales in June, 1847:—

> "We want labour for other reasons. The present insufficient supply is tending to produce a total disruption of society. The capitalist and the employer are the insulted drudges of the persons they are, nevertheless, forced at any rate to employ; whilst the exorbitant wages paid lead to idleness and dissipation; and there is no present help for it. A settler must give 30*l.* or 36*l.* a year for a shepherd, or his flocks will be destroyed. He must make his election between the waste of his wheat, or submit to pay 20*s.* an acre for reaping it. I know that magnificent crops have rotted on the ground during the present season for want of timely assistance, or because the owners were unable or unwilling to pay the absurd amount demanded for getting them in."

Now, he (Lord Mahon) would not say, that with regard to the transportation of convicts, the supply of labour which it would afford to the colonies was anything like the first consideration that ought to weigh with a Minister. But he did say, that if the reformation of the convict could be steadily wrought out in the colonies, then the relief of colonies, as regards the supply of labour, although but a subordinate consideration, was still one that ought not to be altogether forgotten. And he thought the documents he had read, showed that the expectation that free emigration would supply the place of convict labour, to the benefit of the colony, had not been realised, and that great distress was suffered in the colony from the want of labour. Under these circumstances, Earl Grey had commenced a negotiation for the restoration of the system to the colony. He (Lord Mahon) entirely approved of that step being attempted, provided it were carried on with a due regard to the wishes and views of the Council in the colony; but he had this practical suggestion to offer upon this point—that it was of the highest importance, in order to secure the successful termination of that negotiation, that facilities should be afforded, and even, if necessary, a vote should be asked from Parliament, to promote free emigration. This was a point which the Colonial Office should press forward by every means in its power. To return to the pledge, most imprudently given by Earl Grey, that transportation should not be renewed to Van Diemen's Land; what had been the consequence of that step? In the papers last laid on the table, the colonists complained of the breach of faith committed by the Colonial Office, in not keeping its pledge. That there had been a breach of faith was shown from the words of their own officer. It was shown by Sir William Denison's despatch of the 20th of August, 1847. In this despatch Sir William acknowledged the receipt of a despatch of the 5th February, 1847, in which, as he says—

> "I was informed, that it is not the intention of the Government that transportation to Van Diemen's Land shall be renewed at the expiration of two years."

In this same despatch, Sir William Denison stated, that before he had received the despatch of 5th February, 1847, he had sent home suggestions as to the mode of working out a system of transportation, had it been intended to continue it, most advantageously, both for the benefit of the mother country and of the South Australian colonies; but as the Government had now determined that transportation to that colony should cease, of course these suggestions would now fall to the ground. What possible defence could be offered for such a proceeding? Earl Grey had a perfect right to act as he thought best as a Colonial Minister; but he (Lord Mahon) had yet to learn what right a Minister had to give a pledge for a future time, involving a free discretion, which he ought to leave to his successor in office, and which it even appeared in his (Earl Grey's) own opinion it would be a most desirable and important discretion to be possessed by himself. Now, such being the state of things in Van Diemen's Land, he had one practical suggestion to offer with respect to the hasty manner in which the noble Lord now the Prime Minister had put an end to the system of convict assignments. He (Lord Mahon) did not believe that system had stood in need of total abolition so much as it did of reform; and it might be reintroduced with advantage, if it underwent amendment first. He would not express a positive opinion himself, however, upon that subject; but he would quote the testimony of that excellent and estimable prelate the Bishop of Tasmania, with whom he had had several conferences upon this very subject, during his stay in England, a few years ago. On parting from him, that most estimable prelate summed up his opinion in words which it was impossible to repeat exactly, but of which the substance was—

> "As a Christian prelate, my first wish would be, that the flock committed to my charge should be preserved as far as possible from any admixture of crime, or any chance of contamination by those who have been convicted. But if I am to look to transportation, and to the influx of convicts as a settled point, if I am told it is to remain as a part of the imperial policy of England, I should then say, that of all systems for Van Diemen's Land with which I have become acquainted from information or from reflection, the most promising, most effective, and most capable of being worked out, is an improvement of the system of assignment."

Mr. Gibbon Wakefield, in that truly able and valuable work which he had lately published on colonisation, bore a striking testimony in favour of assignment. He said that there were farms in Van Diemen's Land, or, as he rather preferred to call it, Tasmania, the farming of which was not inferior to that of Norfolk and the Lothians. One of these farms he minutely described. He went over the gardens and orchards, the house, and house-buildings, the fences, and the live stock; all, he said, most excellent of their kind.

> "On this single establishment (he added) by one master seventy labourers have been employed at the same time. They were nearly all convicts. By convict labour, and that alone, this fine establishment was founded and maintained. Nothing of the sort could have existed in the island if convicts had not been transmitted thither, and assigned upon their landing."

This was Mr. Wakefield's testimony. Now his (Lord Mahon's) practical suggestion with regard to Van Diemen's Land, and also New South Wales, was merely this: If the negotiation respecting the convicts in New South Wales should be successful, to both those colonies conditional orders might be sent empowering the Governors of both, if no objections stood in the way, to make a trial of the system of assignment of convicts. With the conditions and specifications of these orders, he would not now trouble the House, further than to say that the experiment should be carried out first only upon a small scale; and afterwards, should it prove successful, the system might be extended. If, however, the experiment upon a small scale failed, it might, if expedient, again be abolished. He thought these conditional orders would tend to facilitate the negotiations with New South Wales, so far as the admission of convicts was concerned. There might have been other branches of the subject upon which he would have desired to speak—such as the important points of prison discipline, reformatory processes, and the dangerous accumulation of convicts in prison; but he could not longer trespass upon the indulgence and kindness of the House. He would conclude with a Motion for returns, to which, as he understood, no objection would be made. It might be asked why he did not bring forward a specific Motion, calling upon the House to affirm his views upon the matter. His answer was, that, in the first place, he must complain of the obscurity in the printed papers as to what the present intentions of the Government may be; and until those intentions were better developed, as he trusted they would be in the course of the discussion, it did not appear to him advisable to call upon the House to come to a vote upon any particular suggestion of his. He had no desire whatever to give a party tone to the debate; but if at any time he considered the explanations of the Government unsatisfactory, he, for one, would not shrink from the responsibility, so far as submitting any proposition to the House that would give effect to his opinions was concerned. The mistake into which all Colonial Ministers seemed to fall, was in aiming at a perfect system of convict management. Every system of convicts must be fraught with difficulties and objections; of the very best that could be desired, it could only in truth be said, *Optimus ille est, qui minimis urgetur.* Whilst they continued to have so vast an accumulation of criminals to deal with, it was impossible but that there should exist much evil to repress, and much suffering to endure. Still, in almost every neighbouring country, improvement was manifesting itself. France, which had so lately tolerated the semi-barbarous penal systems at Toulon and Brest, was now gladly supporting the enlightened reformatory establishment of Mettray. Let them hope that the work of improvement would steadily advance in our own country and elsewhere; but believing, as he did, that in this case, as in almost every other, the best security for continued improvement was to be found in the vigilant superintendence and control of Parliament, he should continue, so long as he had a seat in that House, to give his most earnest attention to this important question. And he would indulge the hope that, if even his suggestions should be nothing worth, they would yet, by the attention they would call to the subject, be the means of drawing from others suggestions—he would not say better intended—but more judiciously formed than his own. He would conclude by moving—

> "An Address for Copies or Extracts of any Communications received by the Secretary of State from the Governors of Ceylon and the Cape, respecting the Transportation of Convicts to those Colonies."

MR. H. A. HERBERT seconded the Motion. He would confine himself to the state of the Irish prisons, and begged the attention of the House and the Government to the subject. They had been accustomed to hear of violence, famine, and disease from Ireland, but he wished to direct their notice to the condition of the Irish gaols. It appeared, from the report of the Inspector General of Prisons in Ireland, that in 1847 there were 12,883 persons crowded into gaols designed to contain no more than 5,655. He regretted to say that of late years there had been, in that country, an increase of crime as well as of distress. In 1845, the number of convictions in Ireland was 7,105 ; of committals, 16,696. In 1846, convictions, 8,693; commitments, 18,492. In 1847, convictions, 15,233 ; committals, 31,209. So that between 1845 and 1847, the commitments and convictions had nearly doubled. But there was still a more awful part of the subject. The deaths in gaols were truly frightful. In 1835, they were only 81 ; in 1836, they were 132; but in 1847, they reached the alarming amount of 1,315. It might be said, perhaps, that those deaths had arisen from the want of due care and attention on the part of those officers who were bound to look after these matters ; but it was not so, as would appear from the following extract of the report of the Inspector General of Prisons in Ireland, which he would read to the House :—

> "No task can well be more discouraging and, indeed, melancholy than that of attempting to detail the history of the Irish prisons for the year 1847. Years of untiring assiduity had overcome many of the evils under which they formerly laboured. Our predecessors as inspectors, and the various boards of superintendence, local inspectors, and governors had, under circumstances of great difficulty, brought the country gaols, as a general rule, to a state of which any country

might be proud; and we had looked forward to the comparatively easy task of eradicating the few real blots which existed in their discipline and order, and exciting the very few boards and grand juries who had not earnestly commenced the work of improvement, to imitate the example shown them by the great majority, when the terrible catastrophe, which has disorganised the whole framework of society in Ireland, fell, with its full force, upon the establishments under our charge; and, instead of having a pleasing statement of improved discipline, enlarged prison accommodation, and advanced instruction, we can only describe industrial works given up, classification destroyed, separation unattempted, and disease and death increasing to a degree that could never have been contemplated by those acquainted with the usual orderly and healthy state of our gaols. The accumulated misfortunes and evil coincidences of the last year have been such as to produce a state of things for which, although the inspectors general, in a great measure, foresaw their results, it was utterly impossible for them to adopt any effective preventive measures, and their utmost efforts have merely tended to produce a palliative effect."

He would also mention the case of Kerry gaol, built to accommodate 86 persons, but which now contained no less than 582 prisoners, being six times the number it was designed to hold. Amongst that number were 15 male and 16 female lunatics. Could anything be more shocking than the idea of the sane, the insane, the guilty, the innocent, the debtor, and the convict under sentence of transportation, being all huddled up in the same cells? The evil had been much aggravated by the circumstance that persons who had been sentenced to transportation were not removed when sentenced: 36 were there now under sentence of transportation, and 15 of them were sentenced more than six months ago. The inspectors had suggested a remedy, but it had not been attended to. They said in their report—

"To provide for this latter body (convicts), we see no other mode practicable, at the present moment, except by procuring hulks, to be stationed either in Kingston or Cork harbour, or making arrangements for sending still greater numbers abroad, should it be found possible to resume the system of transportation. We may further observe that the prisons at this moment most crowded, are, by a singular chance, almost all seaport towns—namely, Cork, Tralee, Galway, and Castlebar; and it might be worth the consideration of Government, whether they should not supply, or empower boards of superintendence to hire, tonnage in the various harbours, for the purpose of confining prisoners, as a temporary measure for meeting the present emergency. Such a scheme as this, of course, could only be contemplated under the extreme circumstances of misery, distress, and disease at present existing in those prisons. For the gaols more inland, such as Roscommon, Carrick-on-Shannon, Armagh, Omagh, &c., we feel that there exist no remedies except those indicated above—namely, firstly, if possible, refraining from committing vagrants and beggars, and discharging those already committed for slight offences and short periods; secondly, directing a different course to be pursued with regard to the workhouse offences, or giving powers to magistrates to punish such in the workhouses themselves; thirdly, modifying the dietary of prisons to meet the case of juvenile offenders; and, fourthly, at once adopting some plan for clearing the prisons of the pauper debtors. We are aware that all these measures are in themselves more or less objectionable; but we feel that unless some effectual course be adopted, the prison system in Ireland will, we may say, break up, in consequence of the enormous crowd of prisoners, and the impossibility of levying or otherwise procuring funds to meet the increased expenditure; besides which, numbers of lives must inevitably fall a sacrifice to the continuance of the present state of affairs."

He would not quote more than one other extract, which was from the same report:—

"In fact, we have little doubt, that had matters progressed, as we had every reason to hope they would, that the very greatest benefits, both to the criminal population and the rest of the community, would have resulted from the very general effort which was making in almost all the prisons to improve their discipline, introduce a system of constant employment, and gradually to carry out the principle of separate confinement. It is lamentable to reflect that this prospect is entirely overcast, and that it is impossible to say, in the present melancholy state of things, resulting from the distress of the lower orders, and the financial difficulties of the different counties, when it will be practicable to resume the onward course from which we expected so much advantage. At the present moment, we grieve to say, that the efforts of the boards of superintendence and the inspector general will avail little, except to palliate in a degree the almost inevitable evils with which they have had, and for some time must have, to contend."

The hon. Gentleman concluded by calling on the Government to lose no time in remedying this frightful state of things; and doing so without imposing any burden upon the county rates, for they were unable to bear more than they at present endured.

Sir G. GREY said, there could be no objection to the Motion of the noble Viscount the Member for Hertford. He had understood the noble Lord to have stated on the previous day, in reply to a question he had put to him, that it was not his intention to ask for any opinion from that House on the subject which he had brought under their consideration, and that his principal object was to elicit from him (Sir G. Grey) a statement of the means at present adopted by the Government for carrying into effect the sentence of transportation. He thanked the noble Lord for giving him the opportunity of making such a statement, because he agreed with him that it was very desirable that Parliament should have a full and accurate knowledge of the course pursued with reference to this subject. He should, however, first say a few words with respect to the charge of inconsistency which the noble Lord had brought against the Government in regard to the measures they had adopted. He entirely agreed with the noble Lord in his observations as to the difficulties which surrounded the question, and as to the cause of the failure which was to be attributed to every successive Government in its attempts to deal with those difficulties. He believed that failure was owing to the fact that successive Governments had attempted more than it was possible to accomplish when they aimed at a perfect system; for experience showed that all that could be done in the matter was to carry into effect the sentence of transportation, or any other secondary punishment, not in a way which would be free from objection, but in the way which would be least liable to objection, and which would attain as far as possible the two great objects of deterring criminals from crime, and of reforming convicted offenders. Now, he should observe that any charge which the noble Lord could bring forward against his noble Friend at the head of the Colonial Office for the course that had been pursued on that subject, would press equally on him (Sir G. Grey), for he shared the responsibility of every step that had been taken in the matter. He confessed, however, that he did not feel particularly desirous of exonerating himself from that charge of inconsistency which had been preferred by the noble Lord. He believed that, in carrying out the details of such a system as that of transportation, consistency would have been a fault rather than a merit. Surely a Minister ought not undeviatingly to conform to certain rules or principles, in opposition to the convictions forced on his mind by experience, by additional information, or by the valuable suggestions he might receive from persons whose opinions were entitled to weight and consideration. Two years ago he had travelled over much of the ground which the noble Lord had gone over that evening; and he would not, therefore, at that moment enter at any length into subjects on which he had at that former period fully expressed his opinions. He had stated on that occasion that the system adopted was a testative system. The Government had laid down certain rules, which would require great care, vigilance, and circumspection in carrying them into effect; but they were ready to modify those rules as experience might prove to them was advisable. It appeared to him that the noble Lord had hardly done justice to one part of the case —he meant the position in which that question had stood when the present Government had been called upon to deal with it. The frightful and appalling evils which had resulted from the system in operation in Van Diemen's Land had forced themselves on the attention of the prceding Government; and when the present Ministers had succeeded to office they had found it necessary to devise some new means of carrying out the punishment of criminals sentenced to transportation, the great objections to which the system previously adopted had been liable having rendered a change indispensable. The noble Lord would remember the letter which had been written in the month of May, 1846, by direction of the right hon. Gentleman who was then Secretary for the Colonies (Mr. Gladstone) to the right hon. Baronet the Secretary for the Home Department (Sir J. Graham). In that letter the right hon. Gentleman had pointed out very forcibly the great evils arising from the presence of gangs of hardened and desperate criminals in Van Diemen's Land. He stated, that there had been for a length of time unanimous accordance in the unofficial accounts which had reached his departmant. He said—

> "They have described the system as lifeless and inert for the purposes of good, the redundance of moral evil as overflowing upon the colony at large, in increase of crime, and sensibly affecting the general security; the probation parties, intended to be the scene of reformatory influences, as nothing else than schools of advanced depravity, in which the only effective instruction to be acquired, was instruction in the way of effacing every remaining trace of virtuous sentiment or habit."

He added, that—

> "While much exaggeration may possibly prevail, yet certainly such a state of things subsists among the convict population of Van Diemen's Land, and particularly in the probation parties which form the basis of the whole system, as to make it the imperative duty of Her Majesty's Government to use immediate and vigorous efforts for its effectual reform."

The right hon. Gentleman (Mr. Gladstone) had felt that it was absolutely necessary to arrest the stream of transportation to Van Diemen's Land, and to adopt some vigorous measures to alter the system based on the "probation gangs;" and in the opinion entertained by the right hon. Gentleman on the subject, he (Sir G. Grey) entirely concurred. From the position which he occupied, he was bound to give the most careful consideration to the subject. He would not enter into the details contained in papers laid before Parliament of the evils arising from that system. He should merely observe that those accounts were of the most appalling character, and that they were sufficient to convince any one that we should be committing, he would not say merely a fault, but a crime of the greatest magnitude, if we were to perpetuate a system which was productive of such great moral and social evils. Under these circumstances he at once pleaded guilty to the charge of having expressed himself in terms perhaps rather too strong and unguarded against the resumption of transportation—meaning, however, transportation as it was then carried on. The main feature of the scheme proposed by the Government in 1847, and which they had since steadily acted on with some modifications, was, that the strictly penal part of the system—that portion which consisted of the personal restraint of the convicts and their forced labour prior to the period when, under the regulations then existing in the colony of Van Diemen's Land, they would have become entitled to tickets of leave—should be passed, not in a distant colony, where it could only be passed subject to the evil of congregating together large masses of hardened criminals, who had gone through no process which could possibly be reformatory, and who were thus rendered only more incorrigible, but that it should be passed either in this country or within reach of this country, where a vigilant moral superintendence could be exercised over them. The plan they had proposed was to divide the sentence into three portions, in the cases of ordinary convicts—subject, of course, to exceptional cases: the first portion to be passed in this country in separate imprisonment—not the silent system—the maximum duration to be eighteen months, but ranging from six to twelve months. It had been stated by Mr. Latrobe, who had been acting Governor of Van Diemen's Land, that it was impossible to exercise in that colony the vigilant superintendence which would be indispensable for the proper working of the system of "probation gangs." It appeared that officers in whom confidence could be placed could not be got to superintend the gangs, and that convicts had to be placed over convicts. The consequence was that the system had necessarily failed, and that it was impossible so to administer it that it would be free from the most serious objections. With respect to the system of separate confinement, he wished to take that opportunity of observing that a most erroneous impression prevailed that the Government had come to the conclusion that that system had failed, and that they were at present destroying the separate cells. Now nothing could be more mistaken than that impression. Each succeeding year had added to his conviction that that system, subject to great vigilance in the administration of it, was the most valuable one that could be adopted both for the punishment and the reformation of offenders; and he had come to that opinion not merely from his own observation, but also from the information which had been afforded to him by gentlemen practically conversant with the system—he did not mean Government officers, but visiting justices and chaplains of gaols. The Pentonville Commissioners, stated in their 5th Report, that—

> "The result of our entire experience is the conclusion that the separation of one prisoner from another is the only sound basis on which a reformatory discipline can be established with any reasonable hope of success. In carrying out any system of separate confinement, we are of opinion that it is quite indispensable to secure a constant and vigilant medical superintendence, and those mitigations of absolute solitude, which we believe to have operated so beneficially for the bodily and mental health of the prisoners at Pentonville. We mean chiefly a regular and frequent visitation by the superior officers; moral and religious instruction judiciously imparted; employment that will interest the mind as well as occupy the time of the prisoners; and regular exercise out of doors. If these precautions be duly attended to, we have no doubt that great public advantage would result from the general application of this modified system of separate confinement. For whilst we believe that it is open to no objections which are not applicable to every other mode of imprisonment for long periods, we are confident that it affords moral advantages which no other can secure."

Many other gentlemen of great knowledge and experience had taken the same view of the subject, and were impressed with the belief that a modified system of separate confinement was a most valuable one, and possessed most important advantages over every other. He wished to call the attention of the House to an extract from a pamphlet lately published, entitled, *The Precise Present Character of Transpor-*

tation, as that extract expresses an opinion upon this subject with which he entirely concurred. That pamphlet, he should premise, was published anonymously, but he had reason to conclude from internal evidence that it was the production of a chaplain in one of the prisons in which the separate system was adopted. The writer said—

> "This sort of confinement has of late years been extravagantly commended by some, and as loudly reprobated by others. The truth seems to lie between the two extreme opinions. We are led, by our own observation, to value it but little as an active agency for reforming criminals, but to allow it a high place as auxiliary, in general, to that which is reformatory in the highest degree—Christian instruction in the hands of Christian men. The separate system is free, certainly, from many things which impede the reformation of criminals ; from the perpetual distrust and perpetual punishment which are necessary to enforce silence in association ; and from the grosser vices of the older style of persons, mutual contamination and hardening in villany. It allows a return to feelings of self-respect. It removes all possibility of combination for evil purposes, and prevents the exertion of that fascinating influence which the practised villain exerts so destructively over the novice in crime. It protects the penitent in his first desires and efforts to return to God. It is something, also, as regards others less hopeful, even for a time, effectually to break the chain of their evil habits, and to compel the mind, however reluctant, to turn inwards and reflect, until the dormant powers of conscience be aroused. Beyond this it does not seem to go in producing amendment ; and we are persuaded, that if the benign and saving influence of our Divine religion were withdrawn from a prison on the separate plan, not a single inmate would ever leave its walls a whit more reformed than from any other. If it be thought, from what has been written of late years on the subject, that a greater efficacy should be attributed to separate confinement, let it be borne in mind, that contemporaneously with its adoption in any prison, there has been very much greater care taken than ever used to be in the selection of officers to superintend the discipline, and to convey moral and religious instruction to the prisoners."

So much as to the reformatory effect. In a subsequent passage, he says, with reference to its deterring effect—

> "But, whatever may be thought of the influence of separate confinement as a means of reformation, there should be no doubt about its utility as a punishment, if not carried to an extreme. It is a most severe one, certainly; but this is not without great advantages, even in an economical point of view, for, in proportion as it is severer, the sentence may be abridged, and its heaviest pressure is upon those who deserve it most. Criminals, of all men, can least bear to be alone. A thoroughly bad man, by himself, is the greatest coward, and, without his accustomed stimulants, the most wretched of beings ; we have no hesitation, therefore, in stating, that such a man would prefer even the scanty food, the vermin, and the sloth of such a place as Newgate, where he might gamble for his supper, learn new tricks, or instruct the novice, sing, play, and quarrel by turns in the night-room, than the very best treatment and the most abundant diet of a prison on the new plan. The reformatory character of such a gaol is, to such persons, an object of real terror."

The only other passage he would cite from this pamphlet was the following, as it referred to the opinion formed by the Committee of the House of Lords which took much evidence on the question:—

> "The decision of Lord Brougham's Committee on the point, it is important to observe, is, 'that the separate system seems exactly to supply what was needed in gaol discipline, but should be administered with great care.'"

He (Sir G. Grey) was strongly impressed with the advantages of the separate system; but he wished to add, that its principal value must depend on the moral and religious instruction of the prisoners, and on the zeal and character of the officers employed in carrying it into effect. A picture had been drawn of these places of imprisonment both in the newspapers and at public meetings, which represented them as warmed by artificial means, and supplied with every comfort; and, in short, as most attractive places, which could only serve to hold out inducements to the commission of crime. He utterly disbelieved the truth of such statements. His own experience, and the numerous applications for a remission of sentence by those undergoing the punishment of solitary confinement, convinced him that no more effectual punishment could be inflicted. He was, however, inclined to think that twelve months was generally as long as it could be usefully and properly continued. He would not venture to predict that perfect success would attend the best attempts which could be made for the reformation of criminals; but the experience which they had had of the efforts already made led to the inference that a great change had been effected; and the result, on the whole, was extremely satisfactory. He knew that the hon. Member for Montrose, and some others, considered any attempt at the reformation of criminals was hopeless. The experience of the colonies led to the inference that a great moral change had been made in a very large number, and the result was, on the whole, satisfactory, subject of course to some exceptions. The Pentonville Commissioners, after referring to various reports on the conduct of men who had passed through that prison, said—

> "We conclude these general observations by a

remark suggested by the joint consideration of the favourable and unfavourable circumstances in those reports. These appear to us to demonstrate that, whilst the discipline and instruction at Pentonville have not in all cases prevented the exiles from relapsing into crime when exposed to severe trials and demoralising associations, by far the greater part of them have become useful and valuable servants, superior, as we are told, to the average of free emigrants. We regard this view of the subject as highly encouraging, for it seems to prove that, if this system were generally introduced, a large proportion of our convicts would be qualified, on their discharge, to occupy an honest position in their own, or any other, country; and, if so, we believe that, under ordinary circumstances, there would seldom be wanting motives of self-interest and benevolence to afford them that employment which would enable them to become useful and exemplary members of society."

The number of cells at the disposal of the Government, for the purpose of carrying out the system, including Pentonville, Wakefield, and other prisons, was nearly 1,200, exclusive of about 800 in Millbank; and as, in his opinion, the period of separate imprisonment was capable of abridgment, this accommodation might be made available for a larger number. The next stage of the punishment was that of penal labour employed on public works. On that subject he did not understand the noble Lord as expressing any decided opinion as to whether this should be carried on here or in the colonies. He seemed to think there were advantages on both sides, but on which side the balance of advantage lay he expressed no opinion. For his (Sir G. Grey's) own part, for the reasons which he had before stated, he thought it of great advantage that this second stage of punishment should be passed, not at such a distance from this country as Van Diemen's Land or New South Wales, but at home, or at places such as Gibraltar or Bermuda, which were within a reasonable distance, where the regulations laid down by the Government would be strictly enforced by men of a stamp and character different from those who could be found willing to undertake these duties in the Australian colonies. With respect to the hulks, he did not know that he differed very widely in opinion from the noble Lord, for he believed that of all prisons a floating prison was one of the worst; the means of classification and separation there were most imperfect; and it was to be regarded as a temporary expedient, gradually giving way, he hoped, to better places of confinement on shore. A new establishment had been recently formed at Portland, which would not be subject to the objections attaching to the hulks. The credit of this was chiefly due to Colonel Jebb, under whose directions it had been formed. He did not mean to say that the establishment there was altogether free from objection; but the arrangements made there, by providing sleeping apartments completely separate, and using means to stimulate industry and promote good conduct, were such that, without being over sanguine, he thought that more grounds for hope existed with regard to that establishment than in the case of former places of confinement for similar purposes. At Bermuda arrangements of a similar character were in progress, a prison being in course of construction on land; and he believed the discipline at Gibraltar was greatly improved with the assistance of the excellent chaplain at that station. From all that he could learn, nothing could be more striking than the contrast in the effects produced by the arrangements in these several establishments, and the results of the probation gangs in Van Diemen's Land, where the worst characters were crowded together without any means of separation. The noble Lord had asked on a former occasion what period was assigned to the second stage? The rule which existed in Van Diemen's Land, when the whole period of punishment was passed there, was, that a convict should be entitled to receive his ticket of leave at the expiration of half his sentence. The same rule had been adopted at Portland, Bermuda, and Gibraltar, subject to this modification, that the present system addressed itself to other motives than those of mere fear, and adopted other means beside those of mere coercion. It was proposed to enable convicts, by their good conduct, to reduce within certain limits the term of years during which they must be employed in the second stage of punishment; and in the same way it was proposed to extend the term in cases of misconduct. A scale had been drawn up recently with this view, which would be placed in each of the separate cells, so that the prisoners might know the prospects which awaited them. The noble Lord had referred to the value of penal labour in various places. In Bermuda and Gibraltar the works on which the convicts were employed were of national importance, and the Governor of Bermuda estimated the value of the labour of ablebodied convicts at 30*l.* a year, while the cost of their maintenance did not exceed 20*l.* a year, leaving a clear gain of

10*l*. He could only add, on this part of the subject, that inconvenience having resulted from different authorities having the superintendence of different penal establishments, arrangements had now been made by which all convicts undergoing punishment in this country should be placed under one general controlling authority subject to the Secretary of State for the Home Department, by which greater uniformity might be secured, and he hoped also a reduction of expense effectual. He came now to the third stage of punishment, which consisted of the removal of prisoners from this country with tickets of leave to some of the distant colonies, with a prospect of a conditional pardon in case the governors of the colony should recommend them to the Home Government for this purpose. The noble Lord laid great stress on the sentence really being carried into effect by the actual removal of the prisoners. The system adopted by the Government secured that object, with reference to the great body of convicts, far more effectually than it had ever been secured before. At one period, convicts sentenced to seven years' transportation were never removed from the country, but were sent to the hulks; and in the case of all convicts sent to the hulks previously to 1847 he found an understanding had grown up that, after serving half their time in the hulks, they were to be liberated, or, in the case of Bermuda and Gibraltar, sent home at the public expense, with money in their pockets to begin life again in this country. This had now been put an end to. There appeared to be some misapprehension as to the effect of tickets of leave, as compared with a conditional pardon. The holder of a conditional pardon was to all intents and purposes a free man, except that he could not return to the country from which he had been transported, though if one colony offered a better reward for his labour than another, he was at liberty to go there. The ticket-of-leave man, on the other hand, continued a convict; he could not quit the colony, but must be prepared to show himself to the magistrates at any time which might be appointed. He was also expected to repay a certain sum to the Government towards the cost of his introduction into the colony. The object of the Government was to establish a system which—although, perhaps, it might fall short of their original hopes and intentions—yet would afford the means of carrying into effect sentences of transportation by actual removal to a colony, which was in itself a severe punishment, involving, as it did, the prisoner's separation from his friends and connexions, while it avoided the evils incident to congregating them in large masses, and afforded the means of dispersing them over distant districts where they might maintain themselves by honest industry. The success of this part of the system depended on the facilities afforded for dispersion; and the measures of his noble Friend at the head of the Colonial Department were intended to prevent too great an influx of convicts at this stage of their punishment into any one place. In the last papers presented to the House, the information given by Sir W. Denison, with regard to the state of the labour market in Van Diemen's Land, afforded reason to hope that ample means existed in the colony for convicts of this class finding occupation immediately on their removal, and becoming useful. The noble Lord had passed some severe strictures on his noble Friend the Secretary of State for the Colonies in reference to Norfolk Island. He could not find any evidence in the papers before Parliament that his noble Friend had ever directed that the number of convicts in Norfolk Island should be increased. Since he had directed that it should be given up, the number of convicts had been reduced from 1,200 to 500; and Lord Grey had assented to the suggestion of Sir W. Denison that Norfolk Island should be maintained as a convict establishment for those who were guilty of a second offence in the colonies. He thought it, however, necessary to leave much to the discretion of Sir W. Denison, whose opinion was justly entitled to much weight, and under whose government a most important change had taken place. With regard to female convicts, it was thought better that they should undergo a short period of probation in this country, and that they should then at once go to Van Diemen's Land, the probationary establishment for female convicts in the colony not having answered its purpose. The failure of that establishment, however, was not to be attributed to any want of care or qualification on the part either of Dr. Bowden or of his widow. The noble Lord had complained of the crowded state of the prisons at home in consequence of the diminution in the number of convicts sent abroad. He was aware that some inconvenience had arisen from this cause—

but increased accommodation would be provided at Portland in a few weeks; and he trusted that in a very short time, a removal would take place that would enable him to relieve the gaols from the temporary pressure which at present existed. With regard to the Irish gaols, he admitted that the case was wholly different. He believed the hon. Member for Kerry had not overstated their condition. But that condition did not arise from the suppression of transportation, or the diminution of the number of convicts usually sent from Ireland. A great many additional offences had been committed arising from the peculiar state of the country—from the failures of the potato crop, and the consequent distress that had driven the people to crime. There had, therefore, been a great—indeed, an enormous—increase, in the number of convictions and the number of sentences of transportation; and no doubt that had led to very considerable embarrassment from the overcrowding of the prisons. The attention of the Lord Lieutenant had been much directed to this subject, and he had endeavoured to adopt every practicable measure for relieving that pressure. The means, however, were not in the hands of the Government, of affording complete relief, as the great mass of prisoners were those not under sentence of transportation, and for whom the counties were bound to provide sufficient prison room. Previously to 1846 the average annual number of persons sentenced in Ireland to transportation was about 600. But in 1847 and 1848 the number was nearly bordering upon 2,000. So that, in addition to their other difficulties with regard to Ireland, they had that enormous increase of prisoners. He would state, however, that means were being taken to increase the accommodation at the depôt at Spike Island, which would eventually hold about 1,400; besides which, arrangements had been made in other depôts, which would enable them to find room for between 500 and 600 more. With regard to the actual removal of Irish convicts from the country, the House was aware that an Act had been recently passed to authorise their being sent to Bermuda and Gibraltar; and the number of Irish convicts sent abroad in the last year was not less than 859, being between 300 and 400 more than the usual average number of the previous six or seven years. The noble Lord would see, therefore, that it was not owing to the suspension of transportation that the difficulty had arisen, but to the unprecedented number of prisoners under sentence. He might add, that even with regard to some of those convicts who had been sent to Bermuda, the Governor had written to say that they were unfit to be retained there, many of them being mere youths, unable to perform the work usually required of convicts, and of a class which ought not to be associated with the ordinary description of convicts. Now, without impugning the motives of the courts before whom these persons were tried, he feared that the sentence of transportation was resorted to in some cases where it might have been avoided, and thus difficulties and responsibilities were thrown upon the Government which they were wholly unable to meet. The hon. Member for Kerry had stated that the prison of that county contained accommodation for only eighty-six prisoners; that, he confessed, had convinced him of the truth of what he had heard that the accommodation provided was greatly insufficient even for the ordinary number of prisoners. He could only say that any assistance the Government could give to remedy that deficiency of accommodation, without calling upon Parliament for funds, which the counties were bound to provide, they would be most ready to give. The number of prisoners sentenced to transportation in Ireland at the last quarter-sessions, amounted to 596, being equal to the whole annual average for several years prior to 1846; and if that number continued to increase, it would be impossible for the Government to hold out any hope that they would be able to find either colonies or depôts in which to place them. He came now to the exceptional cases, which were men advanced in life, or in a state of health which rendered them unable to undergo the physical toil imposed upon them in the penal settlements. Upon that subject Sir W. Denison, in one of the despatches before Parliament, had pointed out the evils of sending persons utterly unable to maintain themselves by labour in the colony owing to age or infirmity. In the instructions given to the surgeons of convict ships, they were required to object to receive on board prisoners who were unable to bear the voyage to Australia, or to maintain themselves after their arrival. The sentences of such persons must be commuted to various terms of imprisonment. He would now very shortly allude to the recommendations of the noble Lord; and he confessed that he had been in hopes that some valuable suggestions would have been thrown out by him, which he need not say the Government would have been most happy to receive; but he regretted to say that he had been disappointed. The noble Lord had made these suggestions. First, that we should recur to the proposed penal settlement of North Australia, which had been abandoned after a sum of 15,000*l.* had been expended on it. He doubted whether the noble Lord had read the papers that had been published with regard to that settlement, which showed the impolicy of adopting any such course. The result of such a step would have been to create a colony exclusively of criminals, with scarcely any hopes of future amelioration or improvement. Exiles from Pentonville prison were first to be sent there. The success of the system which had been formerly adopted of sending exiles from Pentonville depended on their immediate dispersion, by which means they would be blended with the population generally, and thus be ultimately lost as a distinct class. Now the plan of North Australia was, that it should be peopled by exiles and emancipists from Van Diemen's Land; who were to be induced to keep together by grants of land being given to them. All he could say was, that he saw nothing but doubt and hesitation in the despatches of the right hon. Gentleman (Mr. Gladstone) upon the subject of this colony; and subsequent consideration had only convinced him that the prosecution of that scheme of colonisation would have involved enormous expense, and that the evils of an unmixed criminal population to be produced by it would be equal to any that existed under the previous system. The noble Lord's second suggestion was the resumption of transportation to New South Wales, and that a number of free emigrants should be sent there. This suggestion had already been acted on, and it had been stipulated that the convicts sent with tickets of leave should be required to repay from their labour a portion of the cost of their passage, to be applied in free emigration. The third suggestion of the noble Lord appeared to have been given with considerable hesitation—it was, not that the system of assignment should be resumed, but that there should be a discretionary power vested in the Governor to assign a certain number of convicts to certain settlers. He feared that that would occasion the revival of the interminable complaints and remonstrances of partiality and favouritism that formerly existed; and he did not think that it possessed any advantage over the ticket-of-leave system which would compensate for its inconveniences. Assignment was in fact a system of slavery which was incompatible with free labour in the colony. In conclusion, he wished to state that he thought transportation was a valuable and important punishment. There were, he thought, great advantages derived from maintaining that punishment; and he trusted that it would be possible, subject to the modifications which had been recently introduced, to maintain it effectively. They were bound, however, to keep in view, not only the interests of this country, but also that of the colonies; and the object of the Government had been to combine both. This, however, could not be done if the punishment was indiscriminately inflicted, nor unless the numbers transported were limited. He thanked the noble Lord for bringing the question before the House, as he felt the importance of full information being afforded with regard to it. At the same time he could not but feel that the very discussion of the question might raise unfounded apprehensions in the colonies, and create additional embarrassment, and he was anxious that the system should be judged of rather by its results than by anticipation. Above all, he thought it would be advisable to leave to the Government a large discretion in carrying out the details of the system.

VISCOUNT MAHON, in explanation, said he referred to a recommendation of Viscount Howick, when Secretary at War, respecting Norfolk Island, and not to any recent despatches.

MR. HUME said, much that had fallen from the right hon. Home Secretary, would have been better understood by the House and the public if the rule existed of bringing before the House a detail of the measures that had been adopted during the last year. Many statements had been made by the right hon. Baronet which were perfectly new. The right hon. Baronet had read extracts from a great many papers and documents, but it was impossible for any one to carry them all in his mind. [SIR G. GREY: I did not read a single despatch that has not been already laid before the House.] He was not aware of it. Two things had come out in the course of the discussion—namely, that the noble Earl the Secretary of State for Colonial Affairs had made very hasty and very rash alterations in the system of transportation, and after inflicting immense evils on the colonies and this country he had thought fit to modify and reconstruct the system. He (Mr. Hume) differed from the right hon. Baronet in believing that they would effect the reformation which it was said they would by this system. They had established a model prison at Pentonville, at an enormous expense, and they sent there the selected and most healthy convicts, who cost the country three times the expense of those of any other prison. He thought sufficient time had elapsed for them to decide whether the separate or silent system should be adopted. He did not think the Government were paying due attention to the interests of the country. They were keeping at home vast numbers of those prisoners, who ought to be removed as speedily as possible. He complained of the frivolous labour of mat-making, and other trifling matters, at which the prisoners were kept employed. He had lately visited the prison at Westminster, and had been assured by the governor, who had been in his situation twelve years, that he had never known a reformed convict, and that he would go forty miles to see one who had been reformed. He believed the best course to take would be, to appoint some minister of justice to superintend the convict system, and to see that the errors which the right hon. Baronet pointed out were avoided. The right hon. Baronet considered that the system of tickets of leave, under certain circumstances, had been attended with good results. The right hon. Baronet, however, seemed not to be aware that all the towns in the colonies were now so crowded with that class of people as to create a common nuisance to the society which they came in contact. The plan of assignment appeared to him to obviate all the inconveniences complained of. It was true they were told that this plan was a species of slavery. Well, then, so it ought to be. It was, after all, but a mawkish kind of humanity to say that a person, however serious his crime might be, should not be coerced to labour. He thought that the punishment of transportation should never have been discontinued. It ought rather to have been extended. He would not, however, advocate the system of sending individuals out to the colonies beyond the number, or of a different description, than what the colonists themselves indicated. He objected to the discretionary power which had been formerly given to governors, in consequence of which many criminals of a deep dye were permitted to pass with a very slight punishment. He hoped that as few individuals as possible who were sentenced to transportation would be allowed to remain long in this country. He had no objection that some convicts should be employed in public works in the Isle of Portland, or at Bermuda, or elsewhere; but, looking at the state of our prisons, he did not think that the present system of confining so many here at home was the best course, as not one in twenty of those confined, could, if liberated to-morrow, find employment; the consequence being, that, when let out of prison, they returned to their old practices again. He had no confidence in the reformatory system that had been adopted. If it were good to carry it through in one case, it should be carried through in all. He gave the right hon. Baronet credit for a sincere desire to improve the system; but he thought he took too sanguine a view of the separate system. The right hon. Baronet had taken no notice of the heavy expense incurred by the repeated trials of the same parties, under the idea that a reformation would take place. He believed that all that was requisite in this country might be obtained by the silent system. No convicts under sentence of transportation ought to be kept here except the aged, and those who were incapable of being removed. He thought that they must return to the old sytem of assignment, which was a much better way of disposing of their convicts than that of keeping them here at an enormous and ruinous expense to the country.

Sir J. PAKINGTON thought it had been the feeling of the House and of the country for some time past, that the state of this question was most unsatisfactory, and he therefore thanked the noble Lord for calling attention to it. In a debate which took place two years ago, he had himself expressed an opinion to the effect that, provided there was sufficient gaol accommodation, it might be desirable that the earlier period of the convict's punishment should be passed in this country. But the change was made prematurely, and he was afraid that without increased prison room most serious evils would arise. Whatever course the Government might think proper to pursue hereafter, with regard to it, he hoped that it would be such as to relieve the overcrowded gaols of this country. The magistrates of Yorkshire felt the greatest difficulty in dealing with the criminals brought before them, because the present state of the prisons almost debarred the possibility of making further committals. The right hon. Baronet might, perhaps, recollect, that he (Sir J. Pakington) had, but a short time ago, been obliged to write to the Home Office on the crowded state of the prisons in the county where he was a magistrate. He was afraid that, unless the Government increased the prison accommodation of the country, in proportion to the increase of crime and of the population, they would find that serious inconvenience would be the consequence. He stated that he saw by the papers laid before Parliament, that the convicts on arriving at the colonies were readily engaged, some as shepherds and some as general servants, some at wages to the amount of 5*s.* 6*d.* a day, and also 1*l.* 16*s.* a week, and that the general servants received from 15*l.* to 25*l.* a year. The same papers also reported favourably of the conduct of those thus engaged, which, except in some few instances, had been remarkably good. He wished to know whether or not it was the intention of the Government to carry out in those gaols the system adopted in the colonies. Mr. Naylor had observed that it was a fundamental error of all former systems, that no adequate motive for caution was supplied to the prisoners; and he went on to say that, as a remedy for this evil, he proposed that the period of punishment should be gradually reduced in proportion to their own industry and good conduct; adding, that from the moment that that was done, the convict would become the arbiter of his own fate. It would be advantageous also to know whether it was the intention of the Government, in the matter of prison discipline, to adopt the general principle of the system recommended by Captain Maconochie. After much attention to the subject, he had arrived at the opinion that the separate system, of all others, was the best. But, again, when they recollected the vast variety of constitutions and temperaments which were exposed to its influence, they would agree with him that it ought to be regarded with the greatest jealousy and caution. If the Government could engraft on that system the advantageous features of other systems—if they could add to it the incitement to exertion and the advantages of industry—he felt that they would confer a great benefit on the convicts themselves, and the country generally.

MR. GLADSTONE said, he was anxious to say a few words on the subject before the House, and chiefly on the portion of it in regard to which justice had scarcely been done to many distinguished persons who were in office at the time; he meant the probation system which was pursued in Van Diemen's Land with the convicts carried from this country in the year 1846. He believed it was entered upon by the noble Lord now at the head of Her Majesty's Government; that it was developed by his noble Friend Lord Stanley; and when he (Mr. Gladstone) afterwards took the Colonial Office, he began to check that system, and to impress his Colleagues in office with a growing suspicion of it, after it had existed for eighteen months or two years. It was unfortunately true that that system had been productive of the greatest horrors and iniquities. But it was only fair justice to those who adopted that system, and also to those who developed and applied it, to state that those horrors and iniquities were not to be charged on the main principles of the system itself. The House would agree with him that much necessarily depended on the working out of any system whatsoever; but the instrumentality by which this system was carried out was strikingly defective; the rules were narrow, and the management so glaringly bad, that it would require the exertion of the greatest ingenuity more effectually to defeat the end proposed. He was now speaking of the system and its rules and discipline, as applied to the convicts; and he was obliged to say that during the period when the greatest evils existed, and when official information was of the greatest importance, Government were kept in utter darkness; and that when they struck the blow at the system, they did so on the strength of private information, and not on information derived from official sources. It was due to Lord Stanley to keep in mind that when this system was in full operation, it had never been, up to that period, fairly carried out in Van Diemen's Land; and the best proof of that was, that the system was at the present moment still in operation. There were 30,000 convicts still subject to that system in Van Diemen's Land. [Sir G. GREY disputed this observation.] He repeated it, that the system was still in force, and there were several thousands of individuals in probation parties. The question then was, what were those improvements? Sir W. Denison, in June last year, writing to Earl Grey, stated that he had great pleasure in calling his Lordship's attention to the improvement that had taken place in the probation system by the change that had been effected, the more efficient mode adopted in working out the details, and the zeal and energy that were brought to bear by the Comptroller General. Sir W. Denison then proceeded to give the report of the Comptroller General, by which it appeared that those probation parties, from which such horrors and iniquities had formerly arisen —which had excited so much shame and disgust—had, as he believed, altogether ceased. The system, somewhat modified, was good, if more efficiently carried out. [Sir G. GREY: It was overdone.] No doubt it was overdone. Like others in the House who had already spoken, he felt indebted to the noble Lord for calling attention to the subject—for the course he had taken to bring it before them—and for the statements which had been elicited from the right hon. Baronet the Home Secretary. Those statements necessarily bore upon many of the details of the subject. It was not possible, however, for him to form and prove every particular of a plan which his Colleagues were engaged in working out. This was a question of great difficulty, involving details which required experience in dealing with it. He could not avoid saying, however, that his noble Friend (Lord Stanley) was justified in the various steps he took with regard to that system in its various details, in dealing with which, circumspection marked all his course. He must say, on the other hand, he found great precipitancy in the conduct of the noble Earl the Secretary for the Colonies (Earl Grey)—great precipitancy in breaking up the establishment on Norfolk Island, and carrying the convicts to Van Diemen's Land; and again in carrying the convicts from the establishment in New South Wales to Van Diemen's Land, notwithstanding the promise which had been given to the contrary. [Sir G. GREY: A discretion was left with Sir W. Denison.] The right hon. Baronet says that a discretion was given to Sir W. Denison on the subject; but it appeared from the papers that on the 16th of February, 1847, the noble Lord the Secretary for the Colonies instructed Sir W. Denison to take measures to break up, with the least possible delay, the establishment at Norfolk Island, and withdraw the whole of the convicts to the settlement at Tasman's Peninsula. Sir W. Denison, indeed, with great judgment, took upon himself the responsibility of disobeying those instructions; and his disobedience was approved, as appeared from the papers, by the noble Earl himself. The same thing occurred with regard to New South Wales. He was unwilling to refer at all to the subject, and he did it, not for the purpose merely of bringing up matters which were gone by, but he thought some notice ought to be taken of these things in Parliament, that they might have some security against the recurrence of such precipitancy. He would now leave that subject; nor would he refer to it further than to express his satisfaction for the authentic information which had been brought out on the system from the Government. He must say that the noble Earl would do well always to keep in view the immense importance of extending as far as possible the area in which transportation took place. In fact, he was sorry to say that in this one department, as in many others in our colonial policy, it must be admitted that they had degenerated from the wisdom of their ancestors. They understood the principles on which transportation could be advantageously conducted better than those of the present day. The States of the American Union received convicts, but in numbers so small that they were easily absorbed in the rest of the population, and the evils which might arise to the community were reduced within the smallest possible limits. On the other hand, those of the present day, having proceeded with less caution, had occasioned difficulties with regard to the political constitution of the colony, and had brought the very name of transportation into bad odour with the colonies. It was mainly from the difficulties which had thus been created that he felt strongly inclined to direct their attention to the colony of North Australia. He felt the difficulties which now surrounded the subject—difficulties, as he had said, occasioned by the evil of compressing the convicts within small space, and by the ill odour into which transportation had fallen with the Australian colonists; but he hoped, with the opening of a new door, that transportation was not to be discontinued. It was his hope that that colony was not to be made a penal colony, and that one or two cargoes of exiles from Pentonville would be sent thither, and not to Van Diemen's Land; for in the colony of Van Diemen's Land so plentiful was labour as compared with the demand, and so great the number of emancipated convicts which it supported, that they had been obliged to relieve that colony by transferring them to North Australia. He admitted the whole question was surrounded by great difficulties; but he hoped that Her Majesty's Government would always take for their cardinal principle the importance of having as extensive an area for the location of the convicts as possible; for if they were to continue the practice of sending them by thousands to one penal colony till it was drenched with iniquity, the very worst consequences would certainly be the result.

Mr. EWART agreed that it was by dispersion rather than compression that any good was to be hoped for from transportation; but he rose to ask two questions—first, how far the principle of dispersion was carried out at the present moment; and, secondly, whether Van Diemen's Land was to be continued as the principal colony to which transports were to be sent in future?

Mr. Alderman SIDNEY said, that while discussing the horrors of transportation they had overlooked those of the gaols in this country, which he considered equally great. [*A laugh.*] Hon. Members might laugh, but from the gaol of Newgate one-sixth of all the convicts in the kingdom were furnished. Within the metropolis there were no fewer than four or five different systems of imprisonment, and as to the separate system preventing crime, it was a well-ascertained fact that crime was never more prevalent than at the present time. It was the complaint of all the magistrates in the neighbourhood of the metropolis that the present diversified system paralysed all their efforts. He trusted, therefore, that the Government would direct its attention to the subject, and devise a uniform and well-arranged plan of prison discipline for all the gaols in the kingdom.

Mr. POULETT SCROPE begged to ask who were the parties responsible for the frightful overcrowding of the gaols of Kerry mentioned by the hon. Member for that county?

Sir G. GREY replied to the hon. Member for Droitwich, that character and conduct would be considered in determining whether there should be any abatement in the sentence of prisoners; but that the maximum period of separate imprisonment should be eighteen months. In answer to the hon. Member for Dumfries, he would state, that convicts would be sent to three colonies, Van Diemen's Land, New South Wales, and the Cape of Good Hope, and that tickets of leave would still be granted in particular cases. In reply to the hon. Alderman, he had only to say, that he had approved of the plans for a new prison for the city of London; and that it was not his fault if they had not better accommodation. He referred the hon. Member for Stroud to the report of the Inspector of Prisons for an answer to his question; at the same time he would add, that the condition of Irish prisons arose in the most part from peculiar circumstances, and that generally there was sufficient gaol accommodation.

The subject then dropped.

LOCAL TAXATION—BURDENS ON LAND.

Mr. DISRAELI: Sir, I rise with the hope that I may induce the House of Commons to adopt a great measure of justice, of conciliation, and of policy. It is not my intention, on this occasion, to enter into any details demonstrative of the great distress which exists among the agricultural classes of this country. Whether that distress exist or not, is unnecessary for the argument which I mean to recommend to the attention of the House in the resolutions which I have placed on the table. It is still less necessary to enter into these details, because there is a great authority that this distress does exist. It is only a few nights since an hon. Gentleman, a Member of this House, came forward and offered his voluntary evidence, if it were necessary, to establish the fact—a witness not to be suspected of any morbid sympathy for the agricultural class—I mean the hon. Member for Manchester (Mr. Bright). He told us the other night that he could not conceal from himself, that the distress amongst the agricultural class was severe and terrible. I am willing to allow this state of affairs to rest on the testimony of that hon. Member. Nor am I going to enter into any inquiry as to the cause of this distress. That is not essential or necessary to the argument which I mean to offer in support of the resolutions which I have placed on the table. But if I wanted to know what was the cause of that distress, I would also appeal to another witness on the benches opposite, one that will be admitted by all as a great and unimpeachable authority — I mean the hon. Member for the West Riding (Mr. Cobden). That hon. Gentleman, on a recent memorable occasion, when he communicated to his assembled fellow-countrymen the programme of his future policy, spoke of the farmers of England with much sympathy, lamented their condition, and acknowledged — which was creditable to his candour and frankness—that in recent changes they had not been fairly dealt with. Nor, in the third place, is it my intention to-night to enter into any controversy as to those changes. It is not, I say, my intention to-night to enter into any controversy as to the policy or impolicy of those changes in the law, to which the hon. Member referred; I am satisfied with allowing, with the hon. Member for the West Riding, that the agricultural classes have not been fairly treated in them. I hold the opinions on those measures such as I have frequently intimated, and sometimes attempted to develop, to the House. I still believe that our new commercial system is founded on erroneous principles. I still believe that in constructing this new system you have mistaken the rules which regulate an advantageous interchange of commodities between nations; that in attempting to obviate the injury and inconvenience of hostile tariffs, by opening our ports, we have adopted a course which tends to the depression of British industry; that under your new system the native labourer must give more of his produce for foreign produce than he heretofore gave; that inasmuch as the precious metals are foreign products, he must consequently receive less of the precious metals for his labour, and have less command over them than he did before; that his labour is tributary to foreign countries in the precise proportion in which it has become less efficient in its command over foreign products; and that you have thus embarked in a course which tends to the degradation of native industry, and which may end in financial convulsion. I still believe that there is but one way to extricate the country from the calamities which it now experiences, and those which are impending—and that is by the frank adoption of the principle of reciprocity as the fundamental principle of your commercial code; and that the only means to be pursued against hostile tariffs are countervailing duties. I have expressed these opinions on this and on other legitimate occasions, because I wish these principles to be pondered over by the country, with the hope, and even the belief, they will ultimately adopt them. Perilous and injurious as I hold the late changes in our commercial system, I do not wish suddenly to subvert them, by appealing to the passions of any suffering classes, or by any party combinations; I wish the change when effected to be permanent, and it can only be permanent by its being called for by the common sense of the country. I look, therefore, for this change to be effected by legitimate means, by public discussion, by private investigation, by the failure of economic prophecies, and by the fruit of sharp experience. On the present occasion, I wish to avoid any angry controversy; but I am unwilling that any one should suppose that I shrink from opinions which I have formerly expressed in this House: on the contrary, the observation of every day and of every hour only confirms me in my convictions. After the change of 1846, which so greatly affected the agricultural interest, I think they are entitled at least to this—that our system of taxation should not press unjustly on them. That is the first proposition which I wish to lay down. The second is, that the unjust taxation of which they complain should be revised, and that there should be a redistribution of these burdens, according to just principles—a redistribution, which I believe will afford them, though by no means complete, yet considerable, relief from the sufferings which they are now enduring. The question which I have to place before the House requires, fortunately, very little statistical detail. Although great controversy has taken place between different interests, as to which had to bear the heaviest burdens, I feel that the question which I have to bring forward is in itself extremely simple, and, like other first principles, is clear and easy of apprehension. It seems, by returns now in the possession of all of us, that the amount of poor and other rates for the year ending Lady-day, 1848, was a sum of not less than 10,000,000*l.* sterling, and that this was levied by direct taxation on the real property of England. This amount was made up by the poor-rate, and its collateral minor rates, and by the county rate, the highway rate, and the church rate, all of which were levied on real property. I ask you, whether the time has not at last come for inquiring whether it is just that a sum of not less than 10,000,000*l.* annually should be thus levied, and only levied on the real property of the country? But, independently of this sum of 10,000,000*l.*, there are other direct taxes, levied on real property, which, strictly speaking, are local taxes. For instance, the land tax is assessed and levied by local authorities, and each locality is fixed with the payment of a certain quota, so that I may assert that the real property of this country pays 12,000,000*l.* of taxes a year, to which no other species of property is subject. To place this question before us in a manner which must carry conviction, let us first ascertain the amount of property upon which this 12,000,000*l.* is levied, and then compare that amount with the probable annual amount of the whole income of the country. We have the materials for this calculation. Every Gentleman knows that this 10,000,000*l.*—I might say, generally speaking, 12,000,000*l.*—is raised on a rental contributed by real property to the amount of 67,000,000*l.* per annum. This 10,000,000*l.*, then, I repeat, is assessed on a rental of 67,000,000*l.* There is no difficulty in ascertaining what is the total income of England at this moment. We have a Parliamentary paper—moved for by an hon. Gentleman opposite—numbered 747; it gives the sum of the income tax levied, and the description and amount of the property on which it was levied in England and Wales for the year 1846. This return was laid on the table in 1847, and, by a reference to it, any one can easily calculate what is the total national income liable to this tax. According to this paper, the total income for 1846, as contained in the five schedules, and chargeable with the income tax, was 186,888,958*l.* But the 67,000,000*l.*, on which the local taxation is assessed, is not entirely contained in this greater sum, for that is confined to property above 150*l.* per annum, and even cottages are assessed to the poor-rates. In order, therefore, to ascertain the entire income of the country, including that portion which is exempted from the property and income tax—I shall adopt the rule laid down by a high and prudent authority, the Member for Tamworth, when he introduced his scheme for a property tax in 1842. The right hon. Baronet then took the amount of income under 150*l.* a year, at a quarter of the whole income of the country, so that to the amount of 186,888,958*l.* chargeable with the property tax, the sum of 62,296,319*l.* must be added as the amount of income not chargeable with that tax. These sums make together 249,185,277*l.* sterling as the total income of the country. Now, the question which I wish to ask the House is, why should this ten or twelve millions sterling of direct taxation be levied only upon a portion of the whole income of the country, a portion little more than a fourth of the whole amount? This is a simple question, one, however, which the country is deeply interested in, and which a great portion of the inhabitants of this country are daily asking. It is requisite that this should be kept clear of all statistical mystification. The income of the country is upwards of 249,000,000*l.*, and yet, for the purposes to which I refer, the assessment is only upon one-fourth of the income of the country. Now, upon what principle of justice do you defend this? What are the objects of these local taxes? The maintenance of the poor of the country—the maintenance of our means of internal communication—the administration of justice, and the support of the sacred edifices of the country. Are not these matters in which all the property of the country is equally interested? Upon what plea can you vindicate the principle which makes only one-fourth of the income of the country liable to these great charges? This question has been incidentally asked the House before; treated cursorily, I might even observe without offence to any one, superficially. Attempts have often been made to raise idle and odious controversies as to the classes which contributed most to the poor-rate, and as to which ought to contribute most to that rate. There have been endless controversies of this kind. It has been on the one side said that the agricultural interest bore the most of the burden, and then it was asserted that the house property in towns contributed equally to it. I do not mean to enter into any discussion on these points. I have no wish to shut my eyes to the fact, that during the last half century, great changes have taken place in the relations borne to each other by the different descriptions of real property. Far from it; I rejoice in the circumstance as a proof of the progress and prosperity of the country, and that a great amount of fixed capital has been thus invested in the land of the country. I agree that the dwellers in towns are assessed to the relief of the poor in an amount that it is not at all surprising to me they are clamorous. I admit that they contribute not only in an ample but an excessive manner, and that they may well consider it to be a grievance. I quite sympathise with the owners of real property in towns as to their grievous and heavy assessment. The measure, however, which it is my intention to propose, if the House will go into Committee to-night, will relieve the suffering towns from this burden. It will put an end to those complaints of which we have heard so much from Manchester, Bradford, and other great seats of manufacturing industry. I sympathise with their sufferings, I acknowledge their grievance; and I say it is a vital question to the owners of real property in towns, whether only one-fourth of the property of the country should have the whole burden of local taxation thrown upon it. So it is with other descriptions of real property, the owners of which loudly complain of their rating to the maintenance of the poor. Nothing, for instance, can be more monstrous than the amount of rating on railways for the poor. I quite agree in the justice of their complaints, but I am scarcely prepared to adopt the remedy which has been suggested, namely, the placing the whole burden on the agricultural interest. I acknowledge the grievance as regards railways having to pay so much on their property, while this charge is made to fall upon only one-fourth of the property of the country. If that interest supports the great measure of justice which I hope to introduce to the House, and if it should be adopted, it would relieve them from this great ground of complaint. It is the same with other great trading companies, such as those which supply us with water and light, and who are perpetually wrangling on the subject of poor-rates. I think their complaints perfectly just. Some of my friends think it very well arranged if they can visit a considerable part of these burdens on some of these great companies. On the contrary, I feel for the proscribed interests of real property in every form. I think it most unjust that these water and gas companies should be visited with the portion of taxation which they have to bear, when they are only a section of the one-fourth part of the property of the country. The injustice upon them is most gross, and they will have the opportunity of obtaining redress by supporting the measures I am now anxious to introduce—measures founded in justice, and which, therefore, I believe, will succeed. If we calmly consider this matter in the abstract—if, for example, we were not in England, but travelling in some foreign country, and for the first time became acquainted with a system of finance so remarkable—if we were in a strange land, and learned for the first time that, independently of bearing their share of the whole taxation of the country, there was a private and separate revenue to an enormous amount assessed upon only a fourth part of the property of the realm—what would be the conclusion we should draw? We should say, " This must be that part of the nation that probably is the remnant of some conquered race—this must be some proscribed and oppressed section of the country. *Vœ victis!* Here is the fruit of a vassalage, which even our civilisation and our political economy have not terminated." Such might perhaps be our conclusion. But who could suppose that this was the peculiar privilege of the rapacious aristocracy—of the persons who have made all the laws—of the persons who, according to the doctrines of the most enlightened of those who now instruct us, have always made those laws for their own advantage? But the most curious thing—the most anomalous part of this almost unparalleled state of affairs—is, that this is not the law of the country. The law of England, which has always been the law of common sense, never for a moment anticipated a conclusion so monstrous and so oppressive. I need not now, considering that those whom I address are familiar with all these details, remind them that the old statutes never enforced, or for a moment anticipated, such a monstrous injustice. That benign and sagacious law, the 43rd of Elizabeth, enacted, that all the inhabitants of England, according to their means, should contribute henceforth to the relief and support of the poor. We all know very well, that in comparatively modern times—in the time of William and Mary—when the land tax was first legally established, that tax was called only in common parlance a land tax, but that it was in fact a tax upon property of all kinds. This is not a question of controversy. To this day the land tax is levied on certain offices under the Crown; offices existing in the time of William and Mary pay their 4*s*. in the pound to the present day. I believe the Judges of the land pay this tax—a tax, however, I am glad to believe, assessed upon their allowance as settled in the reign of William and Mary, and not of our present gracious Sovereign. Hon. Gentlemen well know that the courts of law have repeatedly in modern times, even in our own times, decided that in this country property of all kinds is liable to those imposts which real property only has continued to bear. And I may remind hon. Gentlemen that stock in trade only escapes the imposition every year by an annual Bill—an annual Bill passed by that same rapacious aristocracy who thus exempt stock in trade from poor-rate, and inflict the whole of it upon that kind of property in which they are peculiarly interested. In the first place, then, I ask hon. Gentlemen what reason can be advanced why, for the objects for which these rates are raised, and these taxes levied, the whole property of a district—I ask no more in the first instance—should not be liable? Whether a man's property be in broad acres, or whether he receive his means from any other sources, surely in either case it is equally liable to the maintenance of the poor; surely he equally in the district uses the roads; surely he equally in the district is interested in the administration of justice; and surely he equally—at least, for the sake of his soul, I hope so—goes to church; as a matter of justice, it seems that no argument can be adduced against the plea. An adverse expediency, indeed, may be suggested. You may say that the system has gone on for a long time, and that it would be most difficult, if not impossible, to extricate ourselves from it. You may say, for example, that nothing is more difficult than to tax personal property in a locality—that it is not only invidious and inquisitorial, but perhaps even impossible. These are arguments, if you choose to call them arguments, which may be used; but no one can say that they meet the principle of justice which is involved in this question—no one can lay down or sustain for a moment the proposition that it is just that all other property, except real property, should be exempt from these rates. It may be convenient, but no one can maintain that it is just. I will admit, fully, frankly, and freely, that the inconvenience, perhaps impossibility, of rating personal property in a locality in a satisfactory manner, is indubitable; but I am of opinion, if we pursue this important inquiry in a less superficial spirit than it has hitherto, from various circumstances, commanded in this House, that we may, perhaps, find that the difficulties will disappear, and that some solution may be found for the problem. In the first place, it appears to me that a great deal of this difficulty arises from a confusion of terms—from the world persisting in associating with the phrase local taxation, as a necessary consequence, that the purposes for which local taxation is inflicted are really of a local nature. I doubt whether it can be shown that the purposes for which this taxation is locally levied are of a local nature. On the contrary, I think they are for purposes of a much wider and more comprehensive character. I will take, for example, the first and most important tax thus directly levied — that for the maintenance of the poor. I know of no reason, *à priori*, why the maintenance of the poor should be the duty of a locality. The maintenance of the poor is either a matter of police, or a social duty. In looking over the ancient statutes, it may probably appear that our predecessors viewed the matter in the more limited light of police; that it was considered if the people were allowed to perish of famine, mendicity and violence would be necessary consequences; and, certainly, the most convenient to defend the person from assault, and property from rapine, is a poor-law. But I do not understand how, even in this limited view of the question, it is just that a contribution for the purpose should be drawn from one or even from two classes. I believe, however, that the question is to be regarded in a far higher point of view. We recognise throughout this country—and I venture to say it is recognised, without exception, in this House — the principle that the maintenance of the poor is a social duty—a duty justified by high State policy, and consecrated by the sanction of religion. But if the maintenance of the poor be a social duty, it is the duty of every one, according to his means; and in a country like England—an ancient country—of complicated civilisation, it is totally impossible you can lay down as a principle that a particular district should support its own poor, unless you can prove, at the same time, that that district produced those poor—nay, unless you can go further than that—unless you can ensure that district against the consequences of metropolitan or imperial legislation, that these shall not interfere with the employment of the labour of those poor. Why, the very transition from war to peace throws a whole district out of employment; yet that district—that parish—had not undertaken war or declared peace, and, therefore, is not responsible for the maintenance of those whose employment has been destroyed by the one or the other. This is a view of the question which, if followed up in a country like England, will throw a light upon a variety of circumstances. The alteration of a fashion occasions poverty in a district. The invention of a machine in Lancashire will have the effect of throwing a whole village in Northamptonshire out of employ. What are the facts in regard to many of those rural districts of England which have been held up to public reprobation for not employing their poor, and in which an intolerable pauperism has been declared to be one of the consequences of the system of protection? Why, that those parts of the country were once the seats of manufactures, and that a population has been left there by the obsolete manufactures, the labour of which the land has never been able to absorb. This is the cause of that misery and poverty which have prevailed in some of the western counties, and which have been adduced by some hon. Gentlemen as the consequence of protection; forgetting that in some purely agricultural counties, Lincolnshire for example, where there are no obsolete manufactures, wages are very high. So Mr. Huskisson was accustomed to explain the low wages of Sussex as occasioned by a population created by an iron manufacture that no longer flourished. How, therefore, can you call upon a particular district to maintain its own population in an ancient realm, where, from the state of society, such inequalities of condition and such fluctuations of employment must exist? Some may urge that the maintenance of the poor should properly be thrown upon their employers—upon those who have profited by their labour. But in ninety-nine cases out of one hundred, the very circumstances which threw the labouring class out of employment, are the causes also of the distress of their employers. If I take the highway rates as an example, the same view of the question immediately arises. It is very easy to make flippant observations in debate, and to say why don't the farmers pay for the roads made for their use? but, in the first place, it is not historically true that these roads were made for the farmers. If the agricultural classes had the monopoly of these roads—if no one but those classes used these roads—if they were what are called private roads—then there might be some strength in the position. But, inasmuch as everybody uses these roads, and as, until railways were discovered, these roads were covered with all the travelling clerks of the manufacturing establishments in England, inasmuch as you have settled by law that a stranger, although he contribute not one farthing to the maintenance of these roads, can indict the parish if the wheel of his vehicle be injured, you must admit that the public ways are for public purposes, and for public use. Besides, I want to know what item of our expenditure can bear this analysis of local purposes and local objects. Take the case of a gentleman living in a midland county, who, in consequence of the distress which prevails, takes to looking into the estimates—a habit which, I believe, is growing upon gentlemen in many parts of the country. He finds there, for example, an item of some five or seven hundred thousand pounds for the packet service; he might say, "Why am I to be called upon to pay for this packet service? Three-fourths of the letters are carried for the merchants of London and Liverpool, and the other fourth would not be carried at all were it not for them. What have I to do with this? Let a rate for it be struck upon London and Liverpool." This would be a clear case for local taxation to one living in a midland county. Or say that the same gentleman, like the King of Bohemia, not accustomed to the sea, might observe the vote for harbours of refuge, he might object to it upon the same grounds, and say, "I have no ships—I have nothing to do with harbours. Let a rate be struck upon the cinque ports." Or, living in a purely agricultural district, he might cavil at the vote for the inspectors of factories. But he does not take that limited view of finance which our financial reformers perhaps do. Year after year, in a wise, and generous, and national spirit, he contributes to all these sources of expense, and never cavils. But, if you pursue the inquiry to subjects of much greater extent and moment, you will find the case still more strongly telling in favour of the oppressed class liable to this particular revenue. Take this case: About six years ago the merchants of Liverpool were very much vexed, and, as they thought, oppressed by certain proceedings in a distant quarter, and they besieged Downing-street with memorials, and endless reclamations, calling upon the Government to interfere by force, and defend their property and their commercial transactions. The Minister who then presided in Downing-street—a very experienced, and able, and, until that moment, considered a peculiarly cautious statesman—moved by these representations of the Liverpool merchants, was induced to interfere in the troubled waters of La Plata. And what has been the consequence? Six years have elapsed, and the country gentleman in the midland county who willingly acceded to the great expenditure, because he thought it was for the sake of the commerce of his country, now finds as the only result—the same merchants of Liverpool attacking the Government of the country on account of our extravagant armaments, and declaring that they are only kept up to support the younger children of the landed aristocracy. I say that this is a clear case for striking a rate upon Liverpool—that it is a clear case for local taxation. And we could bear this great burden of 10,000,000*l*., or 12,000,000*l*., if the rest of the taxation were apportioned in the same spirit. But is that so? Look at the instance of Manchester a few years back. Manchester was of opinion that the Chinese empire, possessing three hundred millions or more of human beings, were the best customers that could be obtained for our manufactures; that the home trade, or even the European trade, was nothing in comparison with that of a nation possessing such a population; that if each man only spent as much Sycee silver as a sovereign in a year, the fortunes of our manufacturers must be made. And so, by dint of pertinacity and restlessness, and commercial intrigues, they forced the Government into a war with China. Now, in this case the landed gentleman, being not quite so dull as you have sometimes been pleased to picture him, might naturally have said, "It is true I have never been in the country, but still I know something about China. I inherited a magnificent library from my father, and in some of the books there I have read, that notwithstanding the three hundred millions of inhabitants in China, they will never be able to carry on a commensurate commerce with this country, because really they have nothing to give in exchange for our goods." What the country gentleman foresaw did happen; for, never was there a greater disappointment than that manifested in Manchester at the practical results of the China trade. They acknowledged, it was true, China afforded very few commodities for exchange, but still it possessed one great article of commerce, and they said we must reduce the duty on tea, and so increase the consumption. But the country gentleman might answer, "I find that England already consumes more than fifty millions of pounds of tea annually, and I have my doubts whether such an increased consumption be necessary or even desirable. Too much tea is not good for the nerves; why not take the duty off malt, and let the people revert to that beverage which their Saxon ancestors loved, and which produced that long-lived race which I trust I shall aid in continuing?" When this China business was at an end, therefore, why not, upon this system of local taxation, call for a rate to be struck against Manchester on account of the Chinese war? The same principle holds good with regard to the county rate and the church rate. I will, for a moment, touch upon the subject of the county rate, because it is one in regard to which great mistakes have been made, and great misconceptions prevail. The county rate is a direct tax raised for the purposes of the administration of justice. About the year 1835, as is known to the House, the Government, aware of this unjust burden which pressed upon the land, principally occasioned by the expense of the execution of justice, offered to pay half the cost of criminal prosecutions. That was done without much public attention being given to the matter; but the general impression in the House, and throughout the country, was, to a great degree, I believe, that the landed interest had, as usual, taken advantage of the Minister in a weak moment, and had by some means got rid of one of the just burdens upon themselves, and thrown it upon the community at large. That was in the year 1835. I want to show you how this county rate is expended; and to clear this case from the misconceptions which are so popular in the public mind, I must call your attention to the manner in which it has been expended, at a period so recent as 1845. I take that period, because subsequently, in 1846, another change was made by the right hon. Gentleman the Member for Tamworth in reference to the county rate. I will venture to refer to my own experience during one day at assizes, to show the nature of this county rate—how it acts upon a county, and how far and in what degree a county may be actually interested in cases of its expenditure. Take an instance. A woman comes down into the county with which I am connected to a well-known place, Salthill, on the borders of Berkshire and Buckinghamshire. She comes as a stranger, takes an obscure lodging—in a public-house. A few days afterwards a man previously connected with this woman, comes down to the place by railway, visits her, and murders her. He leaves Salthill, and proceeds to town by a train. By means of the electric telegraph he is arrested the moment he arrives at the station in London, the murder having been immediately discovered. He is therefore, arrested in London; but the crime was committed in Buckinghamshire. So the man is taken back to Salthill, examined, and committed to the county gaol at Aylesbury. The case was of a kind which required the evidence of scientific men, who were summoned from various parts of England. It was a very expensive trial. The prisoner was convicted, and outraged society was vindicated by the execution of Tawell. Now, although half the expenses of criminal prosecutions is defrayed by the Government—and so defrayed, I have heard it insinuated, unjustly—the bill and the just bill of costs of the clerk of the peace for the county of Bucks in the case to which I have referred, amounted to 300*l.* I ask, what had this county to do with that crime? The man was not born in Buckinghamshire, or resident there, or even arrested there. But this is one of the modes in which the county rate was expended only very recently. Take another instance on the same day — a bargeman who had committed a robbery in Rutlandshire or Northamptonshire, was arrested on one of the canals in Buckinghamshire, and on which he was navigating a cargo of coals. His trial and conviction cost the county upwards of 100*l.*, although he had no more to do with that county than with the House of Commons. There was, on the same day, another case, very significant, that of a draper in a flourishing town in the same county, in whose shop a burglary was committed, and property stolen to the amount of 20*l.* The burglar was arrested, sent to the county gaol, tried, and the whole expense was paid out of the county rate, while the stock in trade of the very tradesman to vindicate whose rights of property the expense was incurred, was exempted from contributing to that rate. Mark this—if the vexation and oppression of counties paying only half the expense of criminal prosecutions were so grievously, so essentially, and so palpably unjust, what must it have been before the change in 1835? Doubly unjust, doubly oppressive, doubly grievous, doubly tyrannical. Yet that change has been described as one of the methods by which the landed interest shuffle off their burdens upon others. In 1846, I admit that the right hon. Baronet the Member for Tamworth took off the other moiety of the charge upon the county rate, so that no further bills like that for the prosecution of Tawell can be charged upon them, and no further oppression, like that in the case of the bargeman, can be practised. But how was that act of tardy justice done? The right hon. Gentleman on that occasion acknowledged the justice of the case to be unimpeachable. He did not pretend that there could be a question about the justice of the public incurring these expenses that had been theretofore met by the different counties for the vindication of public justice and the rights of society. But the right hon. Gentleman gave that relief to the landed interest upon the memorable occasion, with respect to which I intend to have no discussion now, on which he deprived them of that important protection which they had so long enjoyed. This act of taking off the charge upon the county rate for the last half of the expenses of criminal prosecutions was the important measure of compensation given on that occasion—yet in itself a claim so just, that it appears as if all required to enforce it was, that it should be properly stated to this House; and that there could be no Gentleman, whatever his political opinions or his party, but who would think it was not only unjust, but something shabby, to make a particular class pay for those expenses in which the whole nation is interested. But with great difficulty, and by the exertion only of all the influence of a powerful Minister, was this tardy justice done in a slight degree to the owners and occupiers of land. And what has been the result as far as relief from the rate is concerned? The county rates are increased in amount, notwithstanding the Government has undertaken the whole expense of criminal prosecutions. The increase in this impost is accounted for by Gentlemen, who never inquire into the subject, to our neglect in never attending to our own affairs—by the levy of this tax not being placed in the power of the community of the county. The hon. Member for Montrose has often urged that argument. In the first place, let me show you that after the State had relieved the counties from the burden of criminal prosecutions, the whole of the county rates of this country, with the exception of one important item relating to the public works of universal benefit—I mean bridges—are still expended, generally speaking, upon the administration of justice. I have here the last abstract of the accounts of the treasurer for the county of Bucks, and I have reason to believe that it is a fair specimen of what occurs in other counties. After a certain expenditure for bridges—heavy in a county through which the Thames passes, and on which Buckinghamshire, although not a rich county, has been obliged to disburse, for one instance recently, Marlow bridge, 27,000*l.*, the expenditure of the county, with that exception, is somewhere about 12,000*l.* a year. The whole of this is caused by the expenses for the administration of justice, clerks of the peace, coroners, maintenance of gaols, lock-up houses, conveyance of prisoners, and so on. The allowance from Government for the prosecution and maintenance of prisoners under particular circumstances—is less than 4,000*l.*, and, therefore, two-thirds of the expenditure of that county and every other other, is in fact, for the administration of justice—for matters that interest all—for a cause in which all are concerned. But we are often told, as I have shown, that the county rate, notwithstanding the Government of the country has come forward for the relief of the counties, is still increasing, and it is because those who administer in the funds of the counties are unequal to their duties: that is the position of the hon. Member for Montrose. [Mr. HUME: Hear, hear!] I tell you that if you go to the finance committee of the county of Buckingham you will find your match. But you forget that, year after year, you have been passing laws in this House, forcing the counties to raise most expensive public buildings, and giving them no option whatever. The hon. Member for Montrose talks of the management of funds. Why, all that the magistrates can do is to assemble as trustees under Acts of Parliament, and declare the rate to meet the expenditure, which you in your present capacity have agreed to. I do not deny that those model prisons to which my noble Friend (Viscount Mahon), referred in his interesting Motion to-night, are of great importance; I do not deny that the advancing philanthropy of the age does not call for those erections, and for the seclusion of this improved discipline. But what I assert is, that this is a great national object, and nothing can be more unfair than that a highly enlightened and philanthropic senate should pass laws obliging particular districts to raise most expensive public buildings, and then refuse to defray the increased cost. Well, then, I say that this local taxation is not raised for local purposes, it is raised for national purposes. I am perfectly aware of the objection that you will make. The fact is, that the revenue of this country has been raised for a long time under two systems: there is the modern system of indirect taxation, to which all are subject; and there is the old system of direct taxation, to which only landed property was subject, a system which has its coils round that property still, and mulcts it at its pleasure. It would not be difficult to show how, in the course of time, this anomalous state of affairs has come to pass, how it has happened that the real property of the country should necessarily have become subject to what is called the general taxation of the country, like other descriptions of property, and yet, at the same time, has been obliged to bear the burden of another revenue of the enormous amount of 12,000,000*l.* sterling. This anomaly has been long recognised; the grievance, I am sure, has been long felt; but the difficulties of dealing with it have been considerable. I am perfectly aware of the remedy which certain Gentlemen opposite would be only too glad to offer me, and which they say is the necessary inference from my system—namely, that you should have recourse to a system of national rating. I have myself the greatest objections to that system, both of an economical and a political kind. I do not see how you can have the check which is requisite to the administration of funds in a district if the rating is national, and I am unwilling to give up the local administration, not merely because it insures economical management, or at least takes the best means of doing so, but for political reasons, connected with our happy habit of self-government, of a still graver character. But though I admit that our system of self-government and our system of local administration are very precious, I must, at the same time, ask hon. Gentlemen whether they are prepared to insure economy by practising injustice; whether, in fact, they are going to lay down, as one of the principles of our social system, that in order to insure a good local administration of affairs, it is necessary that one or two particular classes in the country should be subjected to an unjust and oppressive taxation. Sir, I am well aware that in laying down the principle that real property ought no more to bear unjust taxation than other sorts of property, some hon. Gentlemen, confining their objections to a particular section of real property, will tell me that landed property is favoured otherwise by our laws. The probate and legacy duties will, I dare say, be brought forward. Now, for my own part—I am speaking only for myself, but I believe I may speak for many others on this head—I am perfectly prepared to enter into an investigation of that subject in the fairest spirit, and to join with you in any endeavour for the equitable apportionment of that taxation; but I protest against this matter being now brought under the notice of the House to divert them from the question I have raised. Propose a Committee to go into the whole subject of probate and legacy duty, and I will support you in your Motion; bring forward a measure founded upon sound information and real research, offering a just remedy, and I will give my vote in its favour; but I am bound to tell you—it would be disingenuous not to tell you—that having given as much attention as I could to the investigation of this question, it is my opinion that the result of the Committee will be very different to that which many of you expect. So much has been said upon this subject that I must take this opportunity of stating that of the legacy duty which is now paid, to the amount of 1,200,000*l*. a year, 500,000*l*. is paid absolutely and directly by land; that all leasehold properties, all ecclesiastical tenures, are not included in that 500,000*l*.; and that they pay not only legacy duty but probate duty. As far as what is called the landed interest is concerned, there is also included in your probate and legacy duty the stock of every farmer and cultivator of land, so that you will find, if you examine this subject with that attention it deserves, and with that absence of passion which I doubt not will mark your inquiry, that it is not the land which pays the least proportion either of the probate or legacy duty. I have said nothing of the present arrangement of stamp duties, which would greatly strengthen my case. I make these observations to the hon. Gentleman (Mr. Hume) in no hostile spirit; I remember my promise, and will redeem it if he gives me the opportunity; but I must protest against the hon. Gentleman, or anybody else, especially after what I have said, introducing these extraneous subjects into the simple question I am placing before you. Is it just or unjust that real property, forming one-fourth of the income of the country, should alone bear burdens imposed on account of matters in which all property is equally interested? The hon. Gentleman, if he take a fine house in Berkshire to-morrow, will, I dare say, trot over the roads in his neighbourhood; perhaps he will be a preserver of game; perhaps his keeper may be shot by a poacher; and perhaps he will prosecute the poacher at the assizes; and he will do all this without paying to the highway or county rates. Well, then, the question is, what, under these circumstances, is the best measure for settling this long-vexed question? I am afraid I shall disappoint hon. Gentlemen who have very sedulously announced that all I was going to do was to move for a Committee, when, instead, of doing that, I express my readiness, if the House will go into Committee, to offer a plan for their adoption; and as that plan is founded on justice, and conceived in the spirit of conciliation, I hope it has every chance of success. I am perfectly aware that in attempting to settle this question nothing can be more unwise than for the possessors of real property to stickle too severely for their rights. I admit that in a country like England, where a system has existed for a considerable period, however unjust and oppressive the system may be, though the period of its duration does not alter the character of the arrangements or mitigate the nature of the oppression; yet, still I am aware that where a system has long existed, clear as may be our case, it is necessary and wise to approach the circumstances in a spirit of compromise. I do not say, as I have a right to say, "These are national purposes, and the local taxation for these national purposes is levied upon one-fourth of the income of the country; we are ready to pay our quota, but you have no right to ask us to pay more; we are ready to pay our due proportion of the 10,000,000*l*, or 12,000,000*l*., but you cannot allege any reason or principle that calls upon us to undertake a more extensive responsibility." It is of the greatest importance to maintain the local administration of affairs that at present exists, and therefore I shall not propose in any way to change the system of self-government that at present exists, or interfere with the present levy of rates. But I say that, considering all the circumstances of the case, considering that the land has some slight exemptions which are really of very little import, but which may be remembered at this moment, amounting altogether, I believe, only to 140,000*l.* a year—considering the great importance of maintaining the present local administration of affairs, and also that this is a moment in which every portion of the community, and every class and body, must be prepared to make great sacrifices, in a spirit of compromise and conciliation I shall propose that, the present system of local administration remaining, the present levy of rates continuing, the local districts shall be responsible for one moiety of this taxation, and that the other moiety shall be contributed by the Consolidated Fund. I would propose also that the Government should regain this moiety from the privileged properties according to their quotas: with some changes and modifications, the machinery at present existing would assist the Government in this result. Now, Sir, I take that to be a just proposal. I think terms might have been demanded, founded upon justice, to a comparatively extravagant degree; but I think the proposal I have made is one which, after due reflection, will be considered by all a fair and reasonable proposition, founded upon justice, recommended by policy, and which, if adopted in practice, will give relief to the suffering portion of real property in a legitimate manner, not by the demand of undue favour at the expense of the rest of the community, but by the simple recognition of their rights. I am at a loss to conceive whence the great opposition to this proposal can arise. I shall be surprised if any person in authority should rise in this House, and maintain that this taxation of 10,000,000*l.* or 12,000,000*l.* is not a burden upon real property which no other description of property shares. As far as concerns that section of real property, the distressed condition of which especially has induced me to come forward to-night, we have the opinion of the right hon. Baronet the Member for Tamworth fully recognising its burdens, in almost the last speech on the corn laws that he made before the year 1846. That right hon. Gentleman placed his vindication of the corn laws when Minister, I believe so late as the year 1845, upon the acknowledged burdens on land, and he specified that system of taxation to which the resolutions I have laid on the table refers. That right hon. Gentleman has changed his opinion on the policy of the corn laws; but that is no reason that he should have changed his opinions on these matters of fact. And, now, what may be the sentiments of the Prime Minister on this important subject? I am not going to quote *Hansard.* It shall not be a speech. I will refer to a document much more interesting, written on a memorable occasion, when of all others a man would be sincere, thoughtful, grave, and weigh what he did say with a feeling of deep responsibility. When the noble Lord failed in forming his Government, at the commencement of the year 1846, and communicated his failure to his Sovereign, in language befitting the occasion, he left recorded in that almost solemn document this passage:—

> "Lord John Russell is deeply sensible of the embarrassment caused by the present state of public affairs. He will be ready, therefore, to do all in his power, as a Member of Parliament, to promote the settlement of that question, which, in present circumstances, is the source of so much danger, especially to the welfare and peace of Ireland. Lord John Russell would have formed his Ministry on the basis of a complete free trade in corn, to be established at once, without gradation or delay. He would have accompanied that proposal with measures of relief, to a considerable extent, of the occupiers of land from the burdens to which they are subjected."

Well, that is a great authority in favour of the views I have endeavoured to enforce. The right hon. Baronet and the noble Lord are my witnesses in answer to the hon. Gentleman, who no doubt will get up in his place and argue that real property is exempted from imposts which other property is subjected to. Is it that Her Majesty's Ministers shrink from the idea of performing this great act of justice on the score of its impracticability? That can hardly be. It was only last year that they came forward with a proposition to increase the income tax, not to do a great act of justice, not to conciliate rival classes, not to support an injured or aggrieved interest, but to do what I never could make out except it was to pay the militia. And, by the by, if the militia had been called out, there would have been a militia rate, for which real property alone would have been liable. Let me now inquire what reception I am to calculate on from that section of the House, who are the pure professors of liberal principles, the vindicators of men in every clime, whose hearts are always touched at every sound of injustice, and who are ever prompt to come forward to succour the oppressed. Are they going to complete the fulness of their liberal professions, by maintaining that their properties shall be privileged? They can have no abstract hostility to the process I indicate; they are all of them admirers of direct taxation; we ourselves have suffered under it for many years; we wish that you, too, should taste its fruits. Looking, then, to the sanction of these views we have obtained from leading men, to the facility with which the machinery of the income tax may, to a certain degree, be adopted in this behalf by the present Government, and the abstract preference of direct taxation expressed by other hon. Gentlemen opposite, I trust that this oppressed interest of real property has at length some chance of obtaining relief. Sir, do not let the House imagine that the sufferings of that class are not considerable. Do not let them imagine that that portion of real property, which is connected with the cultivation of the land, is not, at this moment, in a state of depression as terrible as has been announced by the hon. Gentleman the Member for Manchester. You see how eager they are to obtain relief, by the petition I have placed upon the table this day for the repeal of the malt tax. You see how the farmers of this country, immediately interested in the growth of barley, cry for the repeal of that tax. You find many of them not immediately interested in the growth of barley, not able perhaps to prove they can obtain any great relief from their sufferings from the repeal of the malt tax, labouring under a sense of oppression from this weight of unjust taxation—how eager they are to adopt the first remedy that is offered. Sir, I have expressed in the second resolution that I have placed upon the table of the House my sincere opinion upon the subject of the malt tax. When we remember that the landed interest, as a considerable portion of the real property of the country, is subject to the taxation I have referred to in the first resolution, it is a great aggravation when we consider that more than one-third of the revenue raised by the Excise is contributed by taxes upon the articles of their growth. The circumstances connected with those taxes have been so frequently before the House, that I will not trouble, by too much detail, Gentlemen to whom they are familiar; but there are circumstances connected with propositions for relief with regard to those taxes, which must be well understood by the House before they can comprehend the feelings of the farmers upon the subject. Those suffering classes, Sir, cannot but remember that twenty years ago they made an appeal to the House of Commons for the repeal of those taxes; and what was the answer? The answer was, that the Minister could not spare the revenue. He could not spare the three millions and a half which was then raised by the malt tax. The farmers yielded to that representation of the Government; and next year, if I remember right, upwards of three millions and a half of taxation were taken off from other articles by the same Government. I do not want to go into the question whether it was a wise or an unwise act of the Government of that day; but I ask you what feelings it is calculated to engender if you treat the agricultural classes in that spirit? Are you surprised that they should remember such incidents with mortification and with lessened confidence in the leading men of this country? Well, Sir, what happened in the year 1835? The right hon. Gentleman the Member for Tamworth was then the First Minister of this country—perhaps the most difficult and not the least distinguished portion of his eminent career. Upon that occasion, and in that year, there was great agricultural distress; and the great body of the agriculturists of England were of opinion that the repeal of the malt tax might give them relief. There was a considerable commotion—in modern days called agitation — upon the subject. A noble Lord (the Marquess of Chandos) who then represented the county of Buckingham, and who is still remembered by the farmers of that county with respect for his faithful and consistent conduct, had pledged himself to bring forward a Motion for the repeal of this tax; and embarrassing and painful as was his position, upon account of the formation of the Government of the right hon. Gentleman, he redeemed his pledge. How was the question then met? The right hon. Gentleman exerted all his powers to refute the statements that were offered. He administered some solemn monitions to the landed Gentlemen. The right hon. Baronet said, "Take care what you are about: you may get rid of the malt tax, but I will tell you what you will have instead—a good comfortable property tax." Never was such an effect produced upon the agricultural mind. They fled like sheep! Some came down to this House, and rescinded their promises to their constituents. Others dreamed dreams and saw visions. But what have you got now? You have got the malt tax; you have got the "good, comfortable property tax;" and you have got all those burdens upon the land which you found so oppressive, and which the right hon. Gentleman, to his last moment, agreed were so oppressive, besides. Are you surprised, then, that the farmers of England, after such incidents as these, should be a little ill-tempered and unmanageable? For my part, I am not at all surprised that men so distressed and so burdened should fly to the first refuge for succour. When you recollect how often this question has been matured out of doors, how frequently it has been brought forward in this House with every chance of success—that once even, to complete the picture, the repeal was carried and rescinded immediately afterwards, are you surprised that the farmers should begin to feel some distrust in the conduct of public men? Now, Sir, that this tax is an injury to the farmer, I do not think any one can, for a moment, deny. That it is a tax upon the consumer, is no answer to this complaint. All our taxes are taxes upon the consumer. But that this restricts the demand for the farmer's produce, is what no one can scarcely question. Why, Sir, Mr. M'Culloch, the political economist—and though a political economist, a very sensible man—and without exception, I think, of all the economical writers, the most practical that I am acquainted with —Mr. M'Culloch, I say, in ascertaining in one of his works the amount of fixed duty which, he thought, ought to be granted to the land, upon account of, as he says, its being taxed more than other portions of the community—in the elements of his fixed duty, puts down the malt tax as giving a claim for 2*s.* in that duty. This demand upon the part of the farmer, therefore, is not so unreasonable as some would pretend. I do not dwell upon the domestic annoyances which this tax causes. They are known to all of us—they are felt by most of us—and they are the hourly conversation of these men at their markets. Now, Sir, having frankly expressed my opinion upon the subject as far as regards past propositions and the amount of loss and annoyance to the farmer, I will, even at the risk of losing that favour which they have bestowed upon me, counsel them not to press for the repeal of the malt tax. I will give you my reasons why. I advise them not to press for the repeal of the malt tax, because I am convinced that the portion of benefit which they will receive will be very slight compared with the general inconvenience which it will occasion. That is my general reason; but my particular reason why I hope they will not press, and why I recommend them not to press, for the repeal of the malt tax is, that if they obtain it at this moment, they will obtain what may prove a fatal obstacle to measures of relief such as that which I have proposed, and others which I hope we may be enabled to propose. The measure which I have proposed or suggested tonight will allow me to take five or six millions of taxation from the real property of the country. Its benefits will be felt in every village and in every farm-house in the kingdom. Its advantages also will be felt in every town in the empire. It is not a sectional advantage—it is not a sectarian arrangement. It will benefit every farmer a hundred times more than the repeal of the malt tax; whilst he will feel, at the same time, that the great body of his countrymen, not connected with agriculture, are equally benefited by such a measure, founded on justice, the authority of which no one can impugn. Sir, if you deny these men justice, against the flagrant and unanswerable complaint of the real property of the country, one fourth in amount of the whole, being visited by the incubus of taxation to the extent of ten or twelve millions, from which the privileged properties are exempt, we must not conceal from ourselves that we shall have appeals for the repeal of the malt tax, and for the repeal of other taxes. You must not conceal from yourselves that you may make an oppressed and aggrieved population run a-muck against your theories of trade and taxation. I have been asked, Sir, by Gentlemen from Ireland, whether I intend that the resolutions which I have placed upon the table should apply to their country? It is my intention that they should apply to Ireland. I can see no reason and no principle why that application should not be made. If I have not specially introduced the case of Ireland in debate, it has been because the analogous rates and taxes, and imposts, which are levied in that country, are levied by a different machinery; they would introduce different figures into the discussion, and complicate a proposition which I wished to keep perfect in the simplicity of its justice, unclouded with details which might distract the House from its fair and due consideration. But it is my intention, if a Committee of the whole House will permit me to introduce the measure I have mentioned, to follow it up by another measure which shall apply, in the same spirit, to Ireland. I cannot comprehend what arguments can be urged against Ireland being relieved in the same spirit of justice as England. I do not offer it to Ireland as a boon which is entirely to reanimate her in her present depressed condition, but it is an arrangement which she is entitled to call upon the landed interest of this country to insure to her if they themselves receive it with the other holders of real property; and I hope it may exercise a beneficial influence upon her condition. There are other measures which, I think, might do more for Ireland even than the present; and, Sir, if I do not bring them forward now, it is because I feel that this is not the occasion to introduce them. I was taunted the other night by an hon. Gentleman representing an Irish constituency, because I opposed the proposition of the Government, and proposed nothing myself. The criticism is not just; and it is rather stale. It is neither new nor true. It is not our duty, because we do not approve of a proposition of a Minister, instantly to bring in a counter proposition. I can easily understand, Sir, why hon. Gentleman opposite do not approve of an Opposition being in existence. But we are sensible of our duties, and we shall endeavour to fulfil them. I will, however, tell hon. Gentlemen from Ireland that there is one measure, one means of assisting them, which I am most anxious to introduce to this House. It is a great —it is a comprehensive measure. I should wish to induce Irish Gentlemen upon either side, to forget their fatal feuds, and to join with us in efforts to restore their depressed and prostrate country. Had my lamented Friend (Lord G. Bentinck) been spared to us, he would have introduced to the notice of Parliament this year a measure that I believe would have done more for Ireland than all the measures ever introduced by Ministers for the last half century—more comprehensive, more beneficial even, than that great measure which unfortunately he did not carry. But it is useless to attempt to assist Ireland unless Irish Members will throw aside their party feelings, and remember their interest in the land, without which they cannot much longer stand. Nothing can be more fatal to them, nothing more injurious to the future fortunes and walfare of their country, than their not combining with the landed interest of England to maintain the interests of the mutually oppressed properties. Sir, I have endeavoured to place before the House—I trust in a fair, I am sure not in an intemperate spirit, the views and suggestions of those who complain of the grievances which I have alleged in the resolutions I have placed upon the table. The complainants are those various classes that, combined and united, form what is called in popular language, "the landed interest;" a portion of this nation which, whether we look at their property or their numbers, or the weight and influence which necessarily result from their social position and their interesting occupation, may still be accounted the most considerable order in our society. It would be disingenuous, Sir, if, in this discussion, I attempted to conceal that the landed interest do not merely complain of the grievances alleged in these resolutions; they complain, also, of a great injury which they deem they have received from the hands of this House. It is not my intention now to enter into a consideration of the policy or the impolicy of those great measures which you passed three years ago—which you passed, and which they deplore. But it is my duty to represent to you that, dull or indifferent as you sometimes may have chosen to picture them, they have not been unmindful of what has happened in this country of late years, of much that has been done, and much that has been said in this House. They have witnessed the rise and development in this country of new properties, of new species of influence; and they have witnessed them without jealousy, because it is part of their economical creed that national prosperity depends upon the union of classes. They have witnessed without any hostile feeling the right and rightful representation of those new interests and properties in this House, since its reconstruction. But though they have observed these great incidents with no other feeling than such as becomes a manly mind, it is but right you should understand that it is not without emotion they have observed that the whole course of your legislation for years has been, to invest those new properties and interests with privileges, and simultaneously to deprive them of theirs. I said there was much that they had not passed unobserved and unheeded in this House—much that had been said, and much that had been done. They have not forgotten that they have been spoken of in terms of contempt by Ministers of State—ay, even by a son of one of their greatest houses, a house that always loved the land, and that the land still loves. They have not forgotten that they have been held up to public odium and reprobation by triumphant demagogues. They have not forgotten that their noble industry, which in the old days was considered the invention of gods and the occupation of heroes, has been stigmatised and denounced as an incubus upon English enterprise. They have not forgotten that even the very empire that was created by the valour and the devotion of their fathers, has been held up to public hatred, as a cumbersome and ensanguined machinery, only devised to pamper the luxury and feed the rapacity of our territorial houses. The fact is, Sir, these things are hard to digest. They are not pleasant to the humble — they are intolerable to the justly proud. These are things which change the heart and turn the blood of nations; and whether you think their feeling is founded on justice, or whether you deem it baseless, I tell you—and every Member of this House, every good and wise man must feel—that nothing is more to be deprecated, nothing more dangerous, than that considerable classes of the country should deem that they are treated unfairly by the Legislature. Sir, the spirit of the landed interest is deeply wounded. Whether they have foundation for this feeling or not, it is one which I would recommend any Minister not to treat with contempt. I fancy, Sir, it has been somewhat too long the practice to believe that you might conduct yourselves toward this interest with impunity. It was even a proverb with Sir Robert Walpole, that the landed interest might be fleeced at pleasure, and I observe at no time has that interest been more negligently treated than when demagogues are denouncing it as an oligarchical usurpation. But this may be dangerous play if you are outraging justice. You think you may trust their proverbial loyalty. Trust their loyalty, but do not abuse it. I dare say it may be said of them, as it was said 3,000 years ago, in the most precious legacy of political science that has descended to us—I dare say it may also be said of them that the agricultural class is the least given to sedition. I doubt not that is as true of the Englishman of the plain and of the dale as it was of the Greek of the isle and of the continent; but it would be just as well if you also recollected that the fathers of these men were the founders of your liberties; and that, before this time, their ancestors have bled for justice. Rely upon it that the blood of those men who refused to pay ship-money is not to be trifled with. Their conduct to you has exhibited no hostile feeling, notwithstanding the political changes that have abounded of late years, and all apparently to a diminution of their power. They have inscribed a homely sentence on their rural banners; but it is one which, if I mistake not, is already again touching the heart and convincing the reason of England—"Live, and let live." You have adopted a different motto — you, the leading spirits on the benches which I see before me, have openly declared your opinion that if there were not an acre of land cultivated in England it would not be the worse for this country. You have all of you in open chorus announced your object to be the monopoly of the commerce of the universe, and to make this country the workshop of the world. Your system and theirs are exactly contrary. They invite union. They believe that national prosperity can only be produced by the prosperity of all classes. You prefer to remain in isolated splendour and solitary magnificence. But believe me, I speak not as your enemy when I say that it will be an exception to the principles which seem hitherto to have ruled society, if you can succeed in maintaining the success at which you aim without the possession of that permanence and stability which the territorial principle alone can afford. Although you may for a moment flourish after their destruction—although your ports may be filled with shipping, your factories smoke on every plain, and your forges flame in every city—I see no reason why you should form an exception to that which the page of history has mournfully recorded; that you, too, should not fade like the Tyrian dye, and moulder like the Venetian palaces. But, united with the land, you will obtain the best and surest foundation upon which to build your enduring welfare; you will find in that interest a counsellor in all your troubles—in danger your undaunted champion—and in adversity your steady customer. It is to assist in producing this result, Sir, that I am about to place these resolutions in your hands. I wish to see the agriculture, the commerce, and the manufactures of England not adversaries, but co-mates and partners—and rivals only in the ardour of their patriotism and in the activity of their public spirit.

Motion made, and Question proposed—

"That the whole of the local taxation of the country for national purposes, falls mainly, if not exclusively, on real property, and bears with undue severity on the occupiers of land, in a manner injurious to the agricultural interests of the country, and otherwise highly impolitic and unjust:

"That the hardship of this apportionment is greatly aggravated by the fact, that more than one-third of the whole revenue derived from the Excise, is levied upon agricultural produce, exposed, by the recent changes in the law to direct competition with the untaxed produce of foreign countries; the home producer being thus subjected to a burden of taxation which, by greatly enhancing the price, limits the demand for British produce; and to restrictions, which injuriously interfere with the conduct of his trade and industry:

"That this House will resolve itself into a Committee of the whole House, to take into its serious consideration such measures as may remove the grievances of which the owners and occupiers of real property thus justly complain, and which may establish a more equitable apportionment of the public burdens."

MR. HUME said, he had listened with attention to the speech of the hon. Member who had just resumed his seat; and he could not but express his utter astonishment at the remedies suggested by the hon. Member, and the extraordinary means by which he proposed to relieve that distress which he depicted as existing amongst the agricultural interests. He (Mr. Hume) had paid particular attention to the hon. Gentleman's speech, in order to guess, if possible, by what means—by what practical means—that distress was to be removed; but he had listened in vain. The fact was, the hon. Gentleman's speech was not at all in accordance with the resolutions proposed. It was stated, that certain burdens had pressed with undue severity upon the occupiers of land. They had, however, heard nothing whatever of the occupiers of land from the hon. Gentleman, for his observations were principally directed to matters affecting the landlords. With respect to local taxation, he wished to ask those on whose behalf the hon. Gentleman had come forward that evening, how the tenant farmers could be benefited by the addition of another income tax? How could they be benefited by 6,000,000*l.* of new taxes? The income tax at present was 7*d.* in the pound, but it would require 1*s.* 3*d.* in the pound to afford relief to the proprietors of land in this country, without any reference whatever to the occupiers. With what justice could that be done? He denied altogether the position of the hon. Gentleman. The hon. Gentleman had asked with what justice they could call upon the landed proprietors to pay the local taxes he had enumerated? He (Mr. Hume) would say, that they were bound to pay them upon every principle of justice. The lands were obtained originally upon condition of rendering military service. That, for the convenience of all parties, had been commuted into the payment of certain taxes; the lands that had since changed hands had been bought with the burden of these taxes upon them, and under proportionate deductions for the same; and, therefore, the landowners had no right now to ask to be relieved of them. The statement of the hon. Gentleman, then, was all moonshine. It was an appeal to the charity and commiseration of the House, not to its justice. The hon. Gentleman had spoken of the roads as imposing a burden on the agricultural interest; but wherever good roads had been established at the expense of a county, they had proved more than reproductive as regarded the value of the landed property. Then, with respect to police establishments and the administration of justice, were the same parties not interested in preventing robbery; and had not the property of a county always been bound to uphold those establishments and that administration? It was the ancient lords of the soil who, in the absence of the Sovereign, were the administrators of justice. Bridges were built in early times for the convenience ef the locality; indeed, there were none of the taxes mentioned by the hon. Gentleman which did not come within the category of taxes raised within the district for the advantage of the district. They were bound to pay the local taxes, and it would be most unjust for their relief to saddle them upon the country at large. It was quite clear that land had always been purchased subject to such burdens as these. He would, for instance, appeal to any hon. Gentleman who had purchased land at any time in this country. Why, doubtless, the first matter he inquired about was the amount of county rates, and other similar taxes. He struck those off the value put upon the land, and after deducting those expenses, the balance was estimated as the marketable value. The purchaser had, therefore, no right to say that he should be exempted from the payment of such rates, for, in fact, he had never contributed one shilling towards them. The hon. Gentleman who moved the resolutions, had asked, with what justice could the landed proprietors be called upon to pay such taxes? The answer was very simple. They were called upon to pay them with precisely the same amount of justice with which any man should be called upon to pay his just and honest debts. He purchased his land subject to those rates—he knew he should pay them—he was aware he purchased the land subject to them, and he should therefore be held responsible for them. The hon. Member for Buckinghamshire called upon the House to relieve the proprietors of land from liability to the payment of several millions, and to saddle them upon others in the shape of taxes. If that had been done, nothing could be so clear in his (Mr. Hume's) mind, than that such a course would be an act of the utmost injustice—of complete robbery. Why should the proprietors of land be relieved from the payment of those taxes which they had been already allowed for, and which they had deducted from the estimated value of the lands they purchased? If that was the case—and he challenged a contradiction of the facts he stated—what became of the argument of the hon. Gentleman the Member for Buckinghamshire? In fact, the speech of that hon. Gentleman was like a call upon the public in consideration of the great distress of the landed interests. They were, however, bound in law and in equity to contribute their fair share towards the liquidation of local taxes. They had purchased their estates subject to such burthens, and it would be most unfair now to exempt them from their payment. These were all properly local taxes, and should be paid exclusively by the local interests. It would be gross injustice to propose their imposition on the people generally, and therefore he said that to propose to relieve the tenant farmers by such means was only to mislead them. If the whole twelve millions of local taxation were taken off, the landlord would still demand the same rent, and thus the tenant would be left in the same situation as before. He could not believe that the tenant farmers would be so stolid and stupid as to support the present Motion; and when he looked to what some of them had said within the last forty-eight hours, he was confirmed in that opinion. One of them had said, that unless there was a great reduction of taxation, the tenant farmer need expect no relief. But what was the proposition of the hon. Member for Bucks? It was simply to add six millions to the present enormous taxation of the country. We paid sixty millions, and the hon. Member would make us pay sixty-six, as a mode of relieving the condition of the farmers. Where was it to come from? It could only be raised by another income tax, and the whole would go into the pockets of the landlords. He saw that at all the recent farmers' meetings, the general cry was for reduction of taxation, and that was his cry also. He wanted to bring fifty-nine to forty-nine, to take off ten millions, which at the present moment were pressing down all the springs of the national industry. He must complain of the manner in which the hon. Member for Bucks had thought proper to address the representatives of the manufacturing interests. The hon. Member had talked as if Manchester and Liverpool were alone interested in the national establishments, and should alone bear all the burden. Among other things he had been surprised to hear the hon. Member say that Manchester and Liverpool should bear all the expense of the packets, because they were the places principally benefited. He would ask the hon. Member what made the land of England five times as valuable as the land of Poland? The land was not better; what, then, was it that enabled it to have such rents as were now paid, and which enabled the proprietors of the soil to live in such magnificent style? It was the enhanced value given to its products by the consumption of Liverpool, and Manchester, and Birmingham; the aid given to it, in fact, by the manufactures of the country. He could tell them that, but for manufactures, the land would be worth very little. At one of the meetings to which he had alluded, it was stated that land, which, in 1792 was worth only 700*l.* a year, now let for 4,000*l.*, and yet the hon. Member for Bucks contended that the manufacturing interest had been of so little service to the land as to make it bear all the burdens of the country. The Motion of the hon. Member was neither more nor less than an appeal *ad misericordiam.* "Give us six millions," says the hon. Member; but he would not get any in the way he proposed. He (Mr. Hume) believed that the time was coming when justice would at last be done. The landed interest had long had the imposition of taxes in their hands, and they mainly directed the expenditure. Neither had they forgotten to appropriate a full share of the profit and patronage to themselves and their families. But they had not paid the taxes. There was hardly an impost which did not come from the people at large. On these grounds he looked upon the Motion of the hon. Member for Bucks as an entire failure. The hon. Member would not advise the farmers to look for the repeal of the malt tax. He said, "It will not relieve you at all. I can do much better for you by laying upon you an additional tax of 7*d*. in the pound, the produce of which is to go into the pockets of the landlords." Now, although the hon. Member did not think fit to propose a repeal of the malt tax, he (Mr. Hume) would assist the tenant farmers by proposing its repeal, and he would now state to the House what it was he meant to propose. He had constantly maintained that the malt and hop duties were two of the worst taxes that could be imposed. Twenty years before, when a proposition was brought forward for the repeal of the malt tax, he had voted in the majority; and it would have been repealed, had not the country Gentlemen come down on the following evening and rescinded their own vote. When his hon. Friend the Member for the West Riding had proposed a reduction of ten millions in the expenditure, he (Mr. Hume) had supported him; and he would now state what taxes he would remit with the produce. He would now remind the House that in 1821 he proposed a reduction of four millions and a half in the taxation; and every tax that he then proposed to strike off had been remitted since. He had proposed to strike off the salt tax, 1,500,000*l*., and the leather tax. Both had since been remitted. The soap tax he had also proposed to strike off, and would have succeeded had not Lord Monteagle been in office. One half of the tax was taken off, and the remainder promised in the following year; but, like many other promises, it was broken. However, 3,800,000*l*. of his proposition was struck off, and any one who lived to see the next ten years, would see the same result follow his hon. Friend's proposition. Now for the malt tax. Let it not be supposed that he proposed to take it off all in one day. Radical reformer as he was, he must work cautiously until he had got all the tenant farmers on his side. He did not think it would be long until he had them. Mr. Bennett, at one of the farmers' meetings, had said, "A few hours will test those gentlemen who call themselves the farmers' friends. Let us mark who among them will support Mr. Hume's proposition. Those who do not, need never look this way again. A general election will settle all." Indeed, so heavy was the taxation, so useless the expenditure, that if the county Members only behaved well, he had every hope of reduction. He was not afraid of the borough Members, bad as the constituencies were—and they were very bad—only the small ones. All they wanted was to have the constituencies made larger. Hon. Gentlemen opposite might gather from the speeches made at their own meetings within the last 48 hours what would be their fate at the next election if they were not prepared to support a general reduction of expenditure and of taxation. He proposed to take off ten millions from the expenditure of the country, and this was the way he would deal with it. He would repeal the malt tax, amounting to 5,225,000*l*., and the hop duties, which amounted to 392,000*l*. He had long felt it to be his duty to endeavour to make the food of the people cheap by making it free of taxes. That object being achieved, he would do his best to make their beer cheap by taking off the malt and hop duties. He had never heard any argument advanced in favour of those taxes except that they were for the benefit of the agricultural population. But he spoke for the agricultural population when he demanded the repeal of these taxes, which they knew pressed heavily upon them, fettering their industry and crippling their energies, and depriving the labourer of a beverage which was necessary to the maintenance of his strength. He was informed, on good authority, that, the malt tax repealed, good beer could be had for 1*d*. a pot. ["Oh!" *and a laugh.*] Yes, as good beer as was now charged 3*d*. could then be supplied for 1*d*. This would increase the sale of barley, and so benefit the tenant farmer and the labourer at the same time. He did not, however, propose this change for the benefit of the agricultural labourer alone, but for that of all the working men in the country; and the poorer the man, and the lower the wages, the more necessary it was that he should have at his command a wholesale nourishing drink instead of resorting to ardent spirits. The next taxes he would remove were those on light—the window tax, and the tax on soap; and here he was sure he should have the support of all those hon. Members who were the advocates of sanitary improvements. The window tax produced 1,663,000*l.*; soap, 990,000*l.*; bricks (which the agricultural party joined with malt), 445,000*l.*; and paper, 745,000*l.* After reducing the expenditure to the standard of 1835, the taxes he would reduce were — malt, 5,225,071*l.*; hops, 392,381*l.*; window tax, 1,663,320*l.*; soap, 990,512*l.*; bricks, 455,845*l.*; paper, 745,795*l.* This would give a total of 9,472,924*l.*, so that he should leave a margin of half a million for the Chancellor of the Exchequer. He looked upon the malt tax as one of the most important of these taxes, not only in the relief its removal would afford, but in the injurious effects of its operation. He would state what the effects of the malt tax had been, and what he further intended by repealing that tax. One great object he had in view was to abolish the Excise department altogether, which cost the country 929,000*l.* a year, and had formerly cost a million—a reduction which they had to thank Mr. Wood, the chief of that department, for effecting. This department, the whole business of which, with the exception of that which related to spirits, might long since have been left to the same board that dealt with the customs and stamps, he would abolish altogether. A million a-year nearly would be saved by this arrangement. The advantages which would result from the removal of the excise restrictions on soap and paper, would not be less than 15 per cent. To-morrow he should have to present a petition from certain paper makers, in which they showed that the duty imposed upon the manufacture of paper was 66 per cent on one description of paper, and 33 per cent on another; and if the excise were removed, this country would be able to supply the world with stationary. He could show that the effect of the tax on malt was to demoralise the people, and induce them to resort to spirits as a beverage instead of beer. In 1826, when he submitted to the House the propriety of reducing the malt tax, he placed a paper on the table showing the effect of the duty in the average consumption in various periods of ten years. In the ten years ending 1794, the duty being 1*s.* 6¾*d.* a bushel, the average consumption was 25,751,775 bushels. In the next year, the duty was raised to 2*s.* 4*d.*, and from 1795 to 1804, the population having of course materially increased, and the prosperity of the country having increased also, the average consumption was 25,514,741 bushels. In the ten years from 1805 to 1814, a period when the consumption of all other articles increased, malt fell to an average of 23,819,475 bushels, the duty having been raised to 4*s.* 4*d.* a bushel. During the next ten years there were three different duties, 2*s.* 4*d.*, 3*s.* 6*d.*, and 2*s.* 6*d.*; and with the first reduction the consumption recovered to 25,846,000 bushels, being 300,000 less than the average of the ten years ending 1794. In the ten years ending 1834, the duty being 2*s.* 7*d.*, the consumption was 29,000,000, and in the following ten years it rose to 33,000,000. But in 1840 an addition of 5 per cent was made to the duty, and the consumption immediately fell off; and during the last four years, 1845, 1846, 1847, and 1848, it was only 32,000,000, being an increase of only 30 per cent in sixty-three years, while the population had increased 79 to 80 per cent in the same time. Previous to the imposition of the duty, the proportionate consumption of malt was still greater. He would show how additional duties had worked in Ireland, in reference to the consumption of malt. During the five years commencing 1795, the duty being 1*s.* 4*d.*, the average consumption was 4,410,410 bushels; in the five years from 1815 to 1819, the duty being 2*s.* 10*d.*, the average consumption fell to 1,891,152 bushels; and from 1831 to 1835, the whole amount which paid duty was 1,659,539. The consumption of spirits had increased as that of malt had decreased. In Scotland the results were the same. Before he sat down, he begged to express his satisfaction at finding that from first to last of his speech, the hon. Member for Buckinghamshire had not proposed protection. He had proposed reciprocity, and the latter part of his speech seemed very much directed towards the re-enactment of monopoly; but he had not mentioned the word "protection." He (Mr. Hume) therefore took it for granted that the House had had something like an assurance from the hon. Member that he did not want protection. But what, then, became of all the meetings of the farmers? Because they were looking for a restoration of protection, and for a monopoly. Now, he was as anxious as any man to obtain reciprocity, but he would not injure himself because another might refuse to do as he did. Let other countries do as they pleased, and drink all or anything they liked at an expense of 20 or 30 per cent higher than it was drunk in England, what did it matter to him? He would reduce the taxes in this country irrespective of what any other nation might do. He took his stand upon that great principle, and haped he would not hear from any Member the common allegation, that "why should we take off duties on our imports when other countries would not do the same?" [*Cheers.*] They were daily in the habit of hearing that other countries would not take off the duties on our goods, that there was no reciprocity; and now hon. Members appeared most anxious to cheer him when he stated that every country ought to take care of its own interests, although they themselves seemed most anxious to meddle with the affairs of foreign nations. He thought it altogether intolerable that we should in anywise regulate our concerns according to the rule laid down upon the Continent or elsewhere; indeed, he thought it perfect nonsense to say that we should not carry out measures connected with our well-being and prosperity, simply because other countries would not follow our example. He had twice or thrice voted for the appointment of a Committee to ascertain whether there were any taxes which unduly pressed on the agricultural interest, with a view to their removal; and even now if a Motion were made to alleviate any burdens which pressed unfairly upon that interest he would willingly second it. The hon. Gentleman concluded by moving his Amendment.

Amendment proposed—

"To leave out from the first word 'That' to the end of the Question, in order to add the words 'if the local taxation of the country presses unequally on real property, or bears with undue severity on the occupiers of land, such inequality and undue pressure ought to be removed; but, with the view of granting speedy relief to the agricultural and other interests of the country, without detriment to the claims of the National Creditors, it is the opinion of this House that the public expenditure, now excessive, ought to be forthwith reduced so as to enable Parliament to repeal totally the Excise Duties on Malt and Hops; and to remove, as far as practicable, other burdens which impede the progress of agriculture and of commercial industry.'"

MR. BRIGHT seconded the Amendment.

Question proposed—"That the words proposed to be left out stand part of the Question."

The CHANCELLOR OF THE EXCHEQUER said, as the debate could not probably be brought to a close upon that night, he thought an adjournment would be desirable. He would, therefore, suggest that the debate be adjourned to Wednesday next.

Debate adjourned till Wednesday next.

BRIBERY AT ELECTIONS.

SIR J. PAKINGTON moved to appoint the following Members on the Select Committee on the Bribery at Elections Bill:—Sir John Hanmer, Mr. Horsman, Mr. Wrightson, Mr. Napier, Mr. Maitland, Mr. Mullins, and Mr. Sheridan.

COLONEL SIBTHORP moved to substitute Mr. Mackenzie for Sir John Hanmer.

SIR J. PAKINGTON resisted the Motion.

COLONEL SIBTHORP would not divide the House, but thought the hon. Baronet had manifested more obstinacy than good sense in the course he pursued. The hon. and gallant Member then moved that the name of the Attorney General be substituted for that of Mr. Horsman. If it were urged as a reason for placing Sir J. Hanmer on the Committee that he knew a great deal about this sort of business, then it applied with increased force to his Motion, for the Attorney General knew a great deal more. The Treasury bench affected great purity, but the fact was, they almost stunk of bribery.

The ATTORNEY GENERAL was quite ready to serve, if such was the wish of the House; but if it was merely to gratify the hon. and gallant Member he should decline.

COLONEL SIBTHORP: The hon. and learned Gentleman is either very much conversant with bribery, or else he is very much belied.

The ATTORNEY GENERAL: The hon. and gallant Member has no right to say so. I have already denied it. [Colonel SIBTHORP: What?] What you say I have been guilty of. I have denied in this House that I have had anything to do with bribery, and the hon. and gallant Member has no right to repeat it.

COLONEL SIBTHORP utterly denied having charged the Attorney General with having been guilty of bribery. ["Oh!"]

Sir J. PAKINGTON hoped this matter would go no further.

The Committee, as originally proposed, was then agreed to.

The House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, March 9, 1849.

Minutes.] Public Bills.—*Received the Royal Assent.*—Consolidated Fund; Relief of Distress (Ireland); Vice-Guardians of Unions (Ireland); Commons Inclosure; Buckingham Summer Assizes.

Petitions Presented. From Guardians of Unions of Dundalk, and Others, against the Rate in Aid (Ireland) Bill.—From Clergy, and Others, of Hereford, for the Adoption of Measures for the Suppression of Seduction and Prostitution.—From Society of Attorneys, Solicitors, Proctors, and Others, not being Barristers, for the Postponement of the Bankrupt Law Consolidation Bill.—From Inhabitants of Liverpool, in Public Meeting assembled, against the Repeal of the Navigation Laws.—From Landowners and Landholders of the County of Mayo, for the Repeal of the Poor Law (Ireland).—From the Provost, Magistrates, and Council of the City of Aberdeen, praying that Hospitals and Charitable Institutions may be relieved from the Payment of Legacy Duty on Bequests made to them.—From Saint Germans' Poor Law Union, for making Personal Property liable to Contribute to the Maintenance of the Poor.

BANKRUPT LAW CONSOLIDATION BILL.

The LORD CHANCELLOR presented a petition from the Incorporated Law Society, that the further progress of the Bill may be postponed till after Easter, in order to afford time for considering the provisions contained therein.

Lord BROUGHAM supported the prayer of the petition, and stated that the Bill he had introduced on the subject was a great improvement on the old law, and was founded on the careful examination of a great number of legal and commercial witnesses. He believed that, as the Bill now stood, it gave satisfaction. His Lordship concluded by laying on the table the report of the Committee on the subject, and proposing that the report should be printed, and to let the further progress of the Bill stand over until after Easter—namely, the 10th of May, so that their Lordships and the public might have an opportunity of making themselves fully acquainted with the progress of the Bill.

Lord WHARNCLIFFE thought the noble and learned Lord deserved great credit for the judicious labour he had bestowed on the Bill, and he had reason to believe that the mercantile classes were perfectly satisfied, as far as it went, with the contemplated change.

Petition laid on the table.

House adjourned to Monday.

HOUSE OF COMMONS,

Friday, March 9, 1849.

Minutes.] Public Bills.—1° Lunatics (Scotland); Recovery of Wages (Ireland).

2° Indictable Offences (Ireland); Summary Convictions (Ireland); Protection of Justices (Ireland).

Petitions Presented. From several Ministers of the Gospel, and Others, in favour of the Affirmation Bill.—By Mr. Headlam, from Newcastle-upon-Tyne, in favour of the Affirmation and Clergy Bills.—By Mr. Page Wood, from the Oxford Reform Association, for a Reduction in the Public Expenditure.—By Mr. Brotherton, from the Inhabitants of Salford, Lancashire, in favour of Secular Education.—By Mr. Vyse, from the Board of Guardians of the Brixworth Union, for the Suppression of Mendicancy.—By Mr. Wawn, from Master Mariners, and Others, of South Shields, for an Alteration of the Merchant Seamen's Fund Act.—By Mr. Cobbold, from Ipswich, against the Navigation Bill.—By Sir Edmund Macnaghten, from the Guardians of the Larne Union, in the County of Antrim, against the Proposed Rate in Aid (Ireland).—By Mr. John O'Connell, from the Ratepayers of the Tuam Union, for an Alteration of the Poor Law (Ireland).—By Mr. Cobbold, from the Parish of St. Clement, in the Town of Ipswich, in favour of the Poor Law Union Charges Bill (1847-8).—By Sir Robert Price, from the City of Hereford, for the Suppression of Promiscuous Intercourse.—By Mr. Manners Sutton, from Newark-upon-Trent, for Referring War Disputes to Arbitration.

DIVISION OF PARISHES.

Sir G. GREY reported to the House, that their Address of the 1st day of this instant March, that Her Majesty would be graciously pleased to appoint a Commission to inquire into the practicability and mode of subdividing into distinct and independent parishes, for all ecclesiastical purposes, all the densely-peopled parishes in England and Wales, in such manner that the population of each, except in particular cases, at the discretion of the Commission, shall not exceed 4,000 souls, had been presented to Her Majesty, and that Her Majesty had commanded him to acquaint the House that She will give directions accordingly.

NAVIGATION BILL.

Order for Second Reading read. Motion made, and Question proposed—" That the Bill be now read a second time."

Mr. HERRIES rose to oppose the further progress of the Bill, and stated that he should conclude his remarks by moving as an Amendment that it be read a second time this day six months. He had undertaken to make this Motion, because he objected to the principle of the Bill. If it were not conceived in the spirit in which it was conceived—if it were not framed in the manner in which it was framed, he should, in conformity with what he had stated last Session, have not been unwilling to allow a measure of this great importance to proceed to another stage, in which its particular provisions might have been more fully considered, and, if possible, amended. But he was not content, so far as his voice could prevent it, to allow this Bill, so framed, and founded upon such an erroneous principle, to arrive at that stage. The measure was a most sweeping abrogation of the navigation laws, with some such trifling, some such insignificant reservations as tended—not to amend, not to remove the objections to that abrogation—but to tender them in some respects absurd, and in others onerous, without giving any compensation to those upon whom the burden would fall. He wished to show the House that what had taken place since the last discussion exhibited in a very remarkable degree the absurdity and danger of the proposed alteration; he wished to point out its operation on the coasting trade; and would endeavour to show that the worst of all the features in the Bill, in point of common sense, was the imposition upon the English shipowner of obligations to which his competitors were not exposed. It was impossible for him to consent to allow a Bill so framed to proceed to another stage; and he should, therefore, endeavour to state all those objections which he believed to be applicable to this ill-judged measure, so as to enable the House to come to an early decision upon the question. The present discussion was very much in the nature of a resumed debate. In the last Session the subject was very fully discussed, and with great ability, by some of his hon. Friends near him, and particularly by one whose loss would be long deplored. The interval between the withdrawal of the former measure and the present time had been fruitful in information, had produced many useful documents, and, above all, had produced an expression of public feeling which was calculated to assist the House in forming a correct judgment, and coming to a true decision. The House was now in possession of the result of a correspondence with foreign Powers on the subject, and an important document touching on this measure had been received from Canada. [Mr. LABOUCHERE: Hear, hear!] The right hon. Gentleman seemed to be satisfied with that correspondence, and he (Mr. Herries) trusted that he would be equally so after its contents had been fully discussed. Expressions of opinion had been elicited from all parts of the country, which expressions were of vast importance by reason of the numbers, the places, and the classes whose interests were affected; and if the House would look at the character of the petitions in opposition to the measure, they would be of opinion that it would have been unfortunate indeed if the measure had passed the House last Session, before the House was aware of the strong feeling in the country. From an imperfect list of towns which he held in his hand, it appeared there had been presented petitions against the repeal of the navigation laws from Belfast, Bristol, Dartmouth, Devonport, Dunfermline, Dundee, Exeter, Exmouth, Fleetwood, Glasgow, Gateshead, Hull, Hartlepool, London, Liverpool, Leith, Lynn, Montrose, Newcastle-upon-Tyne, Portsmouth, Penzance, Perth, Sunderland, Shields, St. Andrews, Swansea, Saltash, Tynemouth, Weymouth, and Yarmouth. Above all, he invited the attention of the House to the two petitions presented that evening from Liverpool and London. There was one from the metropolis of the great commercial world—London—represented by the First Minister of the Crown, signed by 27,000 persons of the most respectable classes. Then came a petition from Liverpool, the second great commercial city of the empire, signed by 24,700 persons—not shipowners merely; and he begged to direct the attention of the House to the following passage in that petition:—

> "That your petitioners view with the greatest alarm the progress of a measure by which it is proposed to take away from this country the advantages it has so long and so successfully enjoyed, and by which such great results have been produced; and (as they believe unwisely) to invite foreign nations to share those advantages with us—nations utterly unable, even if willing, to confer upon us an equivalent in return. That one self-evident result would be the substitution (to a great extent) of foreign for British and colonial shipping, the employment of the labour and capital of other countries in lieu of our own, and the creation of new relations between foreign nations and our own colonies; thus weakening the ties which bind the latter to the mother country, and diminishing British power and influence throughout the world. But above all these, your petitioners would most earnestly implore your honourable House to look at the consequences of this measure as regards the British Navy. Dependent as this is for the supply of the best seamen upon the mercantile marine, can it be supposed that it will maintain its present power when that supply is withdrawn, as it inevitably will be, by the diminution of merchant shipping? and with a navy badly manned and inefficient, how, in the event of war, your petitioners would respectfully ask, will our remaining trade be protected, our colonies continued to us, or even our national existence secured?"

Before proceeding to discuss the general question, he would call the attention of the House to the correspondence to which he had alluded; and if the House would indulge him with its attention for a short time, he would endeavour to repay it by as much conciseness as possible. He did not intend to trouble the House with statistics, but would endeavour to rest his views and arguments upon principle, and to discuss it upon the national principle involved in it. He was the more disposed to take this course because, in the last Session, many details were necessarily gone into, and he was anxious not to weary the House with them again. The right hon. Gentleman who introduced the measure rested it, in the first instance, chiefly upon three points, which he put forward as his principal inducement to the House to take the subject into immediate consideration, and to accede to his proposition. He rested mainly upon the case of Canada. That was his first and great foundation. He called upon the House, by reason of the state of the West Indies, and, on the score of our colonies, he conjured them to pass the measure as quickly as possible. The right hon. Gentleman also told the House that while foreign Powers were pressing most strongly for admission into that which this country exclusively enjoyed, it became the House to consider as early as possible the danger of refusing to accede to their demands. He should endeavour to dispose of those three points before he proceeded to what he must consider the real question in dispute. First, with regard to Canada. Last year an impression prevailed that the Canadians were anxious for a repeal of the navigation laws. It was said last year that Canada was in a blaze for the abrogation of those laws; and in some respects the representations which had been received and laid on the table justified the right hon. Gentleman in what he had then stated; but he believed the right hon. Gentleman was not in possession of the whole of the documents relating to Canada. He would undertake to say that the case of Canada was good for nothing. It was evident that great pains had been taken to get up a case for the purpose of making an impression on the House. He would make no accusation against right hon. Gentlemen, but he feared there was a strong disposition not to lay all the documents connected with the question before the House. Such a mode of dealing with a public question had high authority among Her Majesty's Ministers, not in that House, but elsewhere. Passages of a public document which made for the Minister's case were read, and those which told against it were not read. He did not at all believe that that was the mode in which the right hon. Gentleman opposite would deal with this question. But the case of Canada now revealed a state of things the very reverse of what the House had last year been led to believe. Last year they had pompously announced to them the representations of the Board of Trade of Quebec. They had also had the opinion of the Governor of the North American provinces. There was brought before them an expression of the opinion of what was believed to be the majority of the Board of Trade of Montreal. They had also been led to suppose that the inhabitants of Canada West were of opinion —putting the question of protection out of view—that their main grievance was the existence of the navigation laws. It had, however, since then come to light that the majority of the Board of Trade of Quebec were of a contrary opinion to what had been represented, and that they were opposed to the repeal of the navigation laws. Now, it appeared that the Board consisted of eighty-nine members, of whom seventeen were absent from the country at the time that document was concocted, and of those seventy-two members fifty-three had absolutely signed a declaration that it did not represent the feeling in Canada. The Board of Trade of Montreal had presented in the first instance a petition, signed by the President, in favour of protection by a discriminating duty, in which petition the question of the navigation laws was slightly touched upon. The petition from the main body, stating in the strongest terms that they adhered to protection and the navigation laws, was signed by 57 members. He must pray the attention of the right hon. Gentleman opposite to that fact. No doubt the right hon. Gentleman would give the same weight to the opinion of such a body when opposed to him, as he claimed for them when they were supposed to be in his favour. The whole number of the board consisted of 103 members; of these there were absent from the colony, when the question was discussed, 8; members who refused to sign, 8; members who protested, 12. There were, therefore, 57 who had signed the letter, declaring that they had perused the document which had been signed by 13 members of said corporation, and which had made such an impression on the right hon. Gentleman opposite. They stated that they concurred in the prayer of the petition for the continuance of protection and against the repeal of the navigation laws. But there had been a document presented recently which showed more strongly than anything else the feeling of the Canadas upon this question. It was the report of a meeting held in the colony at Hamilton, at which there was a larger number of persons present than had been known at any previous assembly of the sort. The meeting was convened by parties favourable to the repeal of these laws; but upon a resolution being proposed adopting a petition to Parliament in favour of their repeal, an amendment was moved and carried by a large majority, to the effect that a repeal of the navigation laws, so far as Canada was concerned, would prove most disastrous to its prosperity. That amendment was in the following terms:—

> "That it is the opinion of the meeting that the abolition of the navigation laws, so far as Canada is concerned, would prove disastrous to its prosperity—compelling its inhabitants to compete with foreigners whose resources and whose restrictive policy give them a prodigious superiority over us, enabling them, while they exclude our shipping from the navigation of their waters, to possess themselves of our carrying trade, thus producing results which must prove destructive, not only to Canadian interests, but also to those of the British shipowner."

Last year, the right hon. Gentleman opposite relied on the representations he had received from Canada in favour of his measure. This year they were all the other way. It was only fair, therefore, that the right hon. Gentleman should give them the same weight when against him as when they were for him. It must, indeed, be acknowledged that unless the Canadians were the dullest people on the face of the earth they could not but see that their interests required the maintenance of these laws. It could not be denied that their position, when deprived of protection for their produce, was, as compared with that of the United States, most disadvantageous and distressing. The United States had, with respect to the great article of produce, corn and flour, derived great benefits from the abolition of all discriminating duties which had existed in favour of our colonists of Canada. Nor was this all; for the means of internal conveyance possessed by the latter were, as compared with those enjoyed by the former, most disadvantageous—the navigation, more especially by way of Montreal, from the western parts of the province, being very intricate and difficult; whereas the United States had a good inland communication from the western lakes to New York, &c. Moreover, the Americans had, with their accustomed sagacity, determined to do everything in the way of fiscal arrangements to favour the shortest and cheapest and most accessible communication between the western lakes and this country. Montreal, let it be remarked, was not, as Quebec was, a free port; so that nothing could enable the former place to bear up against the removal of protection except the retention of the navigation laws. And now he begged the House to observe that when the people of Montreal had addressed to the Home Government a statement of their grievances on this subject, the Earl of Elgin, in transmitting it, pointed out that the erection of Montreal into a free port would, in effect, remedy the evils particularly complained of as affecting that important part of the province—he repeated, that the Earl of Elgin had conveyed an intimation to the Home Government that the erection of Montreal into a free port would remove the difficulties under which the inhabitants were labouring—a proposition which was seconded by several memorials. This advice was given in the spring of 1847; and he asked, in fairness, why, when they spoke loudly of the grievances of the people of Canada, in respect of the navigation laws, they did not take the step suggested by the Governor General of the North American provinces, and give them that relief they required? He put it to them why they did not act as he had pointed out? There was nothing to prevent the Government from issuing an order in council declaring Montreal a free port. Why had they not done so? Was it to preserve a grievance for the purpose of creating a prejudice and a cry against the navigation laws? He thought the House would agree with him in thinking that after this the pretended case of Canada actually vanished. Then as to the second case urged against these laws, that of the West Indies. Need he do more than ask what had become of it? Where was the famous despatch of the Governor of Jamaica, on which so much reliance had been placed, but of which the inhabitants had known nothing? Had not they, so soon as they had time to reflect, discovered the delusion that it had been attempted to impose upon them, and found that the repeal of these laws would do them no good, because the result would be to facilitate the importation of foreign and slave-grown sugar, to the competition of which they had been so cruelly and unscrupulously exposed? He thought he need not say anything more on the "case" of the West Indies, so far as the planters were concerned, for to the case of the consumers of colonial produce he would subsequently advert. The next argument urged was that which had been founded on the alleged endeavours of foreign nations to induce the Government to abrogate these laws. He did not think this was an argument calculated to make much impression upon the House. The case of Prussia had actually been cited on the first occasion, but was very soon disposed of. The House would remember that a discussion took place upon this subject about the month of June last year. At that time the opponents of the Bill were induced to believe that the Government had resolved to act with dignified independence, and to pursue "the even tenour of their way," careless of the assent or dissent of foreign nations. They held out hopes that enlightened States would gladly accept this boon, and declared the greatest punishment that could be inflicted on them would be their own waywardness in not conforming to our system of liberality. Subsequently, however, a hint was thrown out that such foreign States as were so blind to their own interests—so marvellously inconsistent as not to reciprocate our liberality—would not find the same favour in the eyes of the Government of Great Britain as those who did—that, in fact, some punishment would be inflicted on them. That did seem to him and to his party a most extraordinary course—a most unjust course. They stood in the position of a man who, carrying a bag of bad money, threw it off his shoulders into the street, and then exclaimed, whoever takes it up must pay for it. The Government held that the repeal of the navigation laws would benefit themselves. Then, if they thought so, let them proceed to accomplish their repeal; but surely it was no reason that because a certain course of policy benefited England, other Governments were bound to take it up and adopt it. How did the Government act? Did they wait until Parliament met and they had taken the sense of both Houses upon the maintenance or abrogation of these laws? Did they maintain a dignified reserve as regarded foreign nations, and an independence of resolution? Did they show their own reliance upon the rectitude of the principle which they wished Parliament to adopt? Nothing of the kind. After six months had elapsed, the noble Lord at the head of the Foreign Department took it into his head to correspond with foreign States upon the subject of the contemplated alteration of the navigation laws of this country. Now, if the Government was desirous of obtaining the opinions of foreign Powers, or if anything depended upon those opinions, why did not the Government endeavour to obtain those opinions either before the question was brought forward in Parliament, or wait until it was finally disposed of? But the noble Lord wrote notes to all our friends and allies abroad; he sent circulars to all, not even excepting the Government of the Equador, inviting them to consider the measure; and, he must say, there was something singular in the diplomacy of this country to induce the noble Lord to write to a foreign Government, telling it what the House of Commons had done, without waiting to know what the House of Lords might also do. Perhaps he thought he might thus obtain such favourable answers as might, in some measure, influence the decision of the House of Lords, and silence the party in this House who were opposed to the repeal of those laws. If such had been the intention of the noble Lord, he must have been grievously disappointed, for there had never been a more signal failure. The answers to these notes, or circulars, were very singular. Not one Power assented—not one. They asked foreign Powers what they would do, and the vast majority answered, "Nothing now." Some of them gave answers scarcely civil. The most promising referred to some future events which might never happen. The German States, for instance, replied, that they would wait for the establishment of a Central Government in Germany before they could say whether or not they would accept the proposition. In Hanover, Count Bermigsen regretted that in the present state of Germany it was impossible for the Hanoverian Government to enter into any separate commercial engagements. From Mecklenburgh - Strelitz, from Mecklenburgh-Schwerin, from Hamburgh, from Lubeck, they had the same unfavourable answers. But Prussia — Prussia, whose policy was so vauntingly spoken of — Prussia, by whose menace they were commanded to repeal those laws—what was the answer from Prussia? Why, that she was in precisely the same position with the others: she could give no decision until the Central German Government was appointed, which would probably be somewhere about the Greek Kalends. Well, then, Russia—what did Russia say? The following is the paragraph in the memorandum of the Russian Government upon this subject:—

> A ces questions, le Ministère Impérial ne peut que répondre en rappelant ce qui a subsisté jusqu'à présent. Appréciant la haute importance des relations commerciales entre les deux empires et les avantages qui en résultent réciproquement, le Gouvernement Russe a toujours eu soin de traiter les bâtimens Britanniques qui visitent ses ports sur le pied d'une égalité aussi parfaite que possible avec les bâtimens nationaux. Ce principe a été maintenu en Russie alors même que les bâtimens Russes ne jouissaient pas encore d'une parfaite réciprocité dans les ports Britanniques. Le même principe a été formellement consacré par le traité de commerce et de navigation conclu le 30 Decembre — 11 Janvier, 1842–3. Ce traité est encore en vigueur. L'état de choses qu'il a établi en faveur du pavillon Britannique, le Gouvernement Russe n'a, ni peut avoir, l'intention d'y apporter un changement quelconque. Mais il sera toujours prêt à s'entendre avec le Gouvernement Britannique sur l'extension, que l'application du principe de parfaite égalité peut encore recevoir en Angleterre en faveur du pavillon Russe. Les seules réserves qu'il croirait devoir y apporter seraient celles qui concernent le commerce de cabotage, expressément réservé déjà par l'article X. du traité de 1842–3, et les clauses contenues dans les articles séparés du même traité."

The United States would not answer us. The United States were always very careful in such proceedings as these. They never committed themselves. That note of Mr. Bancroft was a mere civil matter-of-course assurance; but all they knew was that the matter was deferred. But what did Austria say? A more reproachful note than that which had been received from the Austrian Minister could hardly be conceived. It barely came within the limits of diplomatic courtesy and politeness. Austria was vastly surprised that we did not know the facts of the case. It was thus the Austrian Minister wrote on the subject:—

> "Ce n'est pas sans surprise que le Gouvernement Impérial a vu qu'une question telle que celle à laquelle il s'agit de répondre, a pu lui être adressée par celui de la Grande Bretagne.
>
> "Il croyait pouvoir se flatter que les principes on ne peut plus libéraux qui président à la législation Autrichienne sur la navigation, et qui sont justement appréciés par toutes les nations commerçantes, ne seraient pas ignorés en Angleterre.
>
> "Il espérait que le Gouvernement Britannique n'aurait pas voué à un entire oubli ce que l'Autriche a si franchement fait valoir dans plusieurs occasions, et particulièrement lors des négociations qui ont précédé la conclusion des Traités de Commerce et de Navigation du 21 Décembre, 1829, et du 3 Juillet, 1833, savoir: que les bâtimens Anglais ne sont assujettis dans les états de l'Empereur à aucune espèce de mesure restrictive, quant à leur provenance ou leur destination (le cabotage seul excepté), ni quant à l'espèce de marchandises qu'ils transportent; et que l'on ne perçoit en Autriche de ces navires, à la suite des dits traités, aucun drot différentiel quelconque.
>
> "La navigation Anglaise jouit en conséquence en Autriche des avantages les plus étendus, puisqu'elle y est placée, à l'exception du cabotage, sur le pied du'une pleine et parfaite égalité avec la navigation indigène.
>
> "La preuve, par contre, que le pavillon Autrichien n'est point traité en Angleterre d'une manière analogue, est amplement fournie par le mémorandum mentionné plus haut."
>
> * * * * * *
>
> "L'Autriche se trouve d'ailleurs à présent dans un état de transition. Si une telle situation rend par elle-même à tout gouvernement très difficile, sinon moralement impossible, d'arrêter et de proclamer d'avance tout un système politique, une pareille entreprise serait aujourd'hui pour Autriche encore spécialement difficile par rapport à sa politique commerciale, vû aussi la position dans laquelle elle se trouve placée en sa qualité de membre de la Confédération Germanique."

And such was the style of the despatch throughout. Could we wonder at this coldness, amounting almost to incivility, on the part of Austria? When Austria applied to us, her old ally, in the hour of her need, did we tender her our friendly aid? Not at all, we gave her the cold shoulder; and when she expressed her unwillingness to give up a part to satisfy the wishes of those who rebelled against her authority, we said, "You must give up more." The upshot of the reply of the Austrian Government was the same as the rest. They would do nothing until the German Central Government had settled the question. Well, but next came "the unkindest cut of all." They had a very positive answer from Belgium. The Belgian Government had got very odd notions, opinions which no doubt seemed very strange to Her Majesty's Government, but to him their course seemed a wise, just, and politic course. The Belgian Government was resolved to act with justice to their own subjects. The answer of Belgium was, in effect—"No. We will continue protection." Lord Howard de Walden wrote to Lord Palmerston as follows:—

> "I have the honour herewith to transmit to you a copy of a note which I have received from the Minister of Foreign Affairs in reply to the

> communication which I made to him under your Lordship's instructions, conveyed to me in your despatch of the 22nd of December last, relative to the alterations in the British navigation law, intended to be proposed by Her Majesty's Government during the present Session of Parliament.
>
> "I expressed to your Lordship at the time that it was not probable that the Belgian Government would abolish the differential duties now levied in the ports of this country on British goods not imported in Belgian vessels.
>
> "Subsequent conversation with M. d'Hoffschmidt, and the tenor of the present note, confirm that opinion; indeed, I very much doubt, considering the strong tendency which prevails at this moment in the Chambers to give extraordinary impulse and protection to all branches of national and internal industry, whether a proposition to admit of competition on perfectly identical terms between British and Belgian vessels would be listened to for an instant.
>
> "British vessels are not at present subject to any higher port duties or charges than Belgian vessels, but on their cargoes an additional duty of 10 per cent is levied.
>
> "Notwithstanding the disadvantage under which such imports labour, the general balance is still much in favour of British navigation, though, I believe, owing to this protection enabling them to work at lower rates of freight, steamers under the Belgian flag compete successfully with those of England."

Now, he would ask the Government what they meant to do with Belgium? They knew beforehand that Belgium would not conform to their plan. Was the Government prepared, then, to adopt any particular line of policy towards that country? Were they to put the screw on with regard to Belgium? Now, the very counduct which the Belgian Government was pursuing was deserving of the praise of its subjects, and such as all good governments ought to pursue; for it was acting on the rule which, whether right or wrong, went to the protection of its own people. Indeed, the principles of sound policy and of good government had been learned in this country by the wise and illustrious Prince who had, happily for Belgium, been called to rule over it, before we had entered upon our new and dangerous schemes of policy; and Belgium was now finding the benefit of those principles. There was another State to which a communication had been made — he meant France. Now nothing could be more civil than the reply of France, and yet nothing more decided than the opposition which she gave by her acts to our proposition. In the interval which had occurred between the time at which the Marquess of Normanby presented the note of our Foreign Secretary, and that at which he received a reply to it, the Chamber of Deputies had come to a decision on the question of the salt duties, directly at variance with our plan. They had imposed a duty on salt coming in French vessels, and an additional higher duty upon salt coming in foreign ships, thereby excluding British vessels. It was a very remarkable thing that all these things should have occurred in France, in Belgium, in Germany, and other places—that the hostility to the proposal of the Government should continue, after all the missionaries from this country who had gone abroad to teach those benighted foreigners what would be for their benefit and for their good. The hon. Member for the West Riding (Mr. Cobden) had been on that mission, and yet he had failed to convince them of the efficacy of his doctrines. Not one step was taken towards that system of free trade which the hon. Member went to teach. Did not that fact suggest serious considerations in the minds of all those who would go on experimentalising in the reckless manner in which the present Government went on? Why should they suppose themselves so much wiser than the people of all other States? Were they alone wise, and all the rest of mankind unable to see their own interest? Why should they suppose that all other Governments and Legislatures were devoid of intelligence and foresight? Was France wrong—was Belgium wrong—was Germany wrong—was America wrong? All of them were protectionists — America highly so, and yet she was in a remarkable state of prosperity. All were protectionists—were they all absurd? The noble Lord opposite at the head of the Government had said he was against protection, because protection was calculated to injure the party or thing protected. Had protection injured the silk, or the wool, or the cotton trade of this country, when it enabled it to compete with foreign manufactures of the greatest excellence? Was it not protection which had raised that branch of industry to the height it once occupied? Could Prussia, or France, or America, have brought their cotton manufactures to such a condition as they were in at present, without protection? But for that protection, their rivals in foreign countries would have overborne them in their own market; for how could the manufacturers of England, who paid high wages for labour, compete with the manufacturers of a foreign country, where labourers were to be had for three half-pence per day? But the progress of science and invention had, to a great extent, superseded the necessity for human toil; and the consequence was, owing to their machinery, and the peculiar advantages of the country, they were enabled to dispense with protection. But they ought never to forget that they continued a high protective duty in favour of their own manufactures, under which they grew up into prosperity. Prussia, France, and America were all making great progress in manufactures. But how? Under a protective system. America was now manufacturing twice or thrice the quantity of cotton goods that she did a few years ago; but if the native produce of that country and of France and Prussia were not protected against our goods, every loom would be stopped in them very soon, for they could not contend with us on equal terms. With respect to foreign countries, therefore, the correspondence had ended where it begun, and they were in the same position as regarded them as when the subject was brought forward last year. The Government would have acted with much more wisdom and prudence if they had never sent any of those notes or circulars; but certainly the result told highly in favour of the views of the party to which he belonged, and was well calculated to strengthen their previous convictions. In fact they had got no distinct answer from any one but Belgium, and that was not a favourable one; therefore they were now in a worse situation than they were before, because now they were bound to the principle. In his opinion, however, they would act much better to leave the measure alone, and would act more wisely in adopting his Motion for reading the Bill a second time that day six months. He had felt it necessary to touch upon these topics in consequence of what had taken place last year on that subject. He had shown them that Canada formed no case upon which to rest that measure. All the foreign Powers appeared to be in a more difficult position than before. They could not rely on the West Indies as furnishing a ground for their proposition. Having said that much, he would undertake, with the permission of the House, to state what he conceived to be the real question at issue in respect to that proposition for the repeal of the navigation laws. As he had said before, he would avoid as much as possible any reference to extracts or statistical documents, which, in the course of such a discussion as that, might be introduced at great length on both sides till the end of time, and which rather applied to the details than to the principle of the measure. He might, if he wished, refer at length to the evidence in the report upon their table; but he would abstain from doing so. He conceived the question at issue to be merely this. It would not be necessary to make a diffuse statement on the point. It lay in a narrow compass. Upon the one hand it was maintained that the existing system of navigation laws had secured to this country in a greater degree than could be secured to it by another means a large and powerful commercial marine. It was contended, moreover, that that large commercial marine was necessary for the purpose of maintaining and increasing the commerce of a great naval Power like England, and of protecting her in the hour of difficulty and danger, and that therefore it would be most unwise and impolitic to do anything towards the repeal of these laws. On the other hand, it was contended that the navigation laws enhanced the cost of carriage and impeded commerce, and that by so doing they inflicted an evil on the country. Some of the parties who opposed those laws maintained that a great commercial marine was not essential to a great naval Power. [Mr. Labouchere: That is no opinion of mine.] No, but it was the opinion of the hon. Member for Stoke-on-Trent, the originator of the present movement. [Mr. Ricardo: Hear, hear!] Between these two latter arguments there was a wide difference, but he thought the hon. Gentleman's the Member for Stoke was not very generally entertained in that House. Now he (Mr. Herries) did not deny that the navigation laws were attended with some disadvantages, and that they imposed some impediments and obstructions; but what he contended for was, that those impediments and obstructions were vastly more than balanced by the advantages which these laws brought with them. The hon. Gentleman opposite (Mr. Ricardo) was almost singular in his opinion that these laws were a gratuitous mischief, and did not contribute to our naval power—that they did nothing, in short, but injury. But other opponents of the existing system merely contended that the navigation laws were not essential to the encouragement or creation of a commercial marine, and that they might therefore be dispensed with without endangering the national safety. On the whole, it appeared that the question was one in which they had to balance the inconvenience arising out of these laws against the advantages supposed to be secured by them. If the inconvenience outweighed the advantages, these laws ought to be repealed; but if the inconvenience which they produced was but trifling compared with the great national objects which they promoted, then a good case existed for reading that Bill a second time that day six months. He should proceed in the first place to deal with the proposition that a mercantile marine was not necessary to a great naval Power. He would not, however, dwell at any great length upon that point, because he could hardly imagine that a British House of Commons could entertain any serious doubt upon the subject. The supporters of these laws admitted that they had been passed for the creation and encouragement of a great mercantile marine, as a most important means of ensuring the national prosperity and safety. From the first statesman who invented them to the latest philosophers who had written in their favour, all who advocated their adoption did so on the ground that whatever might be the disadvantages attending those laws, the great national objects which they promoted far surpassed those disadvantages. He was sure that the right hon. Gentleman opposite (Mr. Labouchere) and a vast majority of the House did not coincide in the opinion of those who thought that a great commercial marine was not a benefit to a great naval Power. But the hon. Member for Stoke-on-Trent, after having stated in his very valuable work the opinion upon that point of Sir J. Stirling, a very meritorious officer, but one who entertained some very singular opinions, proceeded to say—

> "There is an end, therefore, in all its branches of the nursery question. No pretext is left for the continuance of a navigation law on any Royal Navy plea."

But the views of Sir J. Stirling were opposed to those of other officers who should be considered very high authorities on that subject. They were opposed to the views of Sir T. Cochrane, of Sir B. Martin, of Admiral Dundas, and of Admiral Parker. They were also opposed to the views of the hon. Member for the West Riding of Yorkshire, from one of whose speeches he would quote a passage upon that subject, not with any invidious intention, not as an *argumentum ad hominem*, not for the purpose of calling on the hon. Member to vote with him upon that occasion, but solely because the passage in question afforded a very remarkable instance of a very important lesson derived from an event within the recollection of every one whom he was addressing. The hon. Member had turned that lesson to excellent account, and had drawn his conclusion from it in his usual terse, clear, and distinct language. He wished to call the attention of the hon. Member for Stoke-on-Trent in particular to the passage. The hon. Member for the West Riding of Yorkshire was referring to a dispute between the French and American Governments arising out of a money transaction, and the following was the language of the hon. Gentleman on the subject:—

> "At that time—I have it from the Americans themselves—the French had three times the force of ships of war that America had. Admiral Mackau was in the Gulf of Florida with a fleet large enough to ravage the whole coast of Florida and bombard her towns. But did France rush into war with America? She paid the money. Why? Because she knew well if she provoked an unjust war with the United States, her men-of-war were nothing compared with the force which would swarm out of every American port when brought into collision with another country. France knew that America had the largest mercantile marine; and though at first the battle might be to the stronger in an armed fleet, in the end it would be to that country which had the greatest amount of public spirit, and the greatest amount of mercantile marine."

Such was the opinion of the hon. Member for the West Riding of Yorkshire on the advantages of a mercantile marine to a naval Power; and from that opinion he (Mr. Herries) was sure that very few Members of the House would dissent. But then arose the question, whether the navigation laws contributed to the promotion of a mercantile marine. Now, it appeared to him to be manifest that they were calculated to produce that effect. They gave to this country the exclusive possession of the most extensive maritime commerce in the world—the commerce between her and her colonies in every quarter of the globe—and that circumstance, surely, inevitably tended to the formation of a mercantile marine. It was true that in Europe they had abandoned many provisions in their navigation laws, and abandoned them wisely, as he had always thought; but they had abandoned them because they could not be maintained any longer. That was the ground on which Mr. Huskisson had made his modifications of the system. But his (Mr. Herries's) proposition was, that they should at present hold what they could, and concede only what they must, in matters of navigation. Some persons, however, contended that the abrogation of the navigation laws could not lead to a diminution of our mercantile marine. Now, he could not conceive how that doctrine was consistent with the statement that the proposed change was to be effected for the benefit of the consumer in this country. He had never yet heard it explained how it was the price of goods in this country was to be reduced by reason of a reduction of the cost of carriage if the navigation laws were repealed, unless upon the principle that, after that change, the amount of freightage paid to the British shipowner would be diminished by foreign competition. But if that were to be the result of the proposed measure, it was clear that it must injuriously affect our mercantile marine. He admitted that the navigation laws imposed restraints on our commerce, and that inasmuch as they did so they operated unfavourably. ["Hear, hear!" *from the Ministerial side of the House.*] Hon. Gentlemen seemed to receive that as some new admission he was making; but that truth had never been questioned or denied. He would, however, endeavour to show them that the disadvantage in question was very inconsiderable when compared with the great national object which these laws attained in the promotion of a mercantile marine. The question they had to consider was, whether the gain they might derive from an abolition of the navigation laws was such as ought to induce them to run the risk of the loss to which that abolition might lead? He would put the matter on that ground, and he would not assume it as certain that the loss would be incurred; but he contended that if the advantage to be derived from an abrogation of the present system was trifling, it would not be wise to run the risk of the great national loss to which the change might give rise. He was not prepared to assert that the effect of the change would absolutely be to cause loss to the Navy; but if he could show that such a risk was run, then all the advantage that could possibly arise to the commercial marine must be thrown aside. Now, who was it that would be seriously benefited by the proposed measure? In the case of the West Indies, for instance, was it the planter, or the merchant, or the consumer in this country? If they read the evidence on the subject they would find that the benefit of any reduction of the cost of freightage would be so frittered away before it could be felt by the consumer that it would be of little or no value to him. It could not, in fact, amount to anything like a diminution in the price of sugar to anything like the extent of a farthing on every pound. But would the merchant derive any great advantage from the change, or was he severely injured by the existing law? In order to show that neither of these questions could be answered in the affirmative, he would proceed to read a variety of extracts from the evidence of some of the first merchants of London and various other cities throughout Europe.

"J. Horsley Palmer (not a shipowner). Have you experienced any injury or inconvenience from the operation of the navigation laws?—I have not been aware of any.

"Patrick Francis Robertson (China and East India merchant).—I cannot say that I know anything about the operation of the navigation laws, they never interfere with us.

"Augustus Bosanquet (West India merchant). As a merchant, having concerns both in the east and west, will you state, whether in your opinion, the commercial interests of this country suffer materially from the operation of the navigation laws?—I do not see that they suffer at all by the operation of the navigation laws.

"Have you any suggestion to make as to any alteration of those laws, by which the general trade of the country would be benefited?—I am not read in the navigation laws; I merely take them as I suppose their effects to be in the world, and though I have looked over Mr. Ricardo's book, and the answer to it, still this amounts to so little that I cannot answer such a question."

[*The reading of these and similar answers excited ironical cheers from the free-trade benches.*] Gentlemen may sneer at the circumstance that the witnesses confess that they have not studied the question, nay, that the most of them have not thought of the subject at all—but, to his mind that was the strongest evidence that the law had not borne heavily upon them. Were these men so low in intellect—so little acquainted with matters which affected their own interest—did they occupy so low a position in the commercial world—as not to be aware whether a specified law oppressed them or not? The fact that they did not know was the clearest proof that the pressure of the law in question was of the slightest kind. He would now continue his quotations:—

"Russell Ellice. Do you consider, as a merchant, shipowner, and West Indian proprietor, that the repeal of the navigation laws would in any degree relieve you in your present difficulties?—I think it would not assist us in the least, as far as I can judge.

"Have you, in your commercial transactions, experienced any injury or inconvenience from the navigation laws?—None in my own transactions.

"Henry Davidson (West India merchant). Have you, in your commercial transactions, sustained any inconvenience from the navigation laws?—I am not aware that we have.

"Have you ever considered the way in which your trade is affected by those laws?—No, I have never particularly attended to it.

"Alexander Geddes (Jamaica planter). Have you any grievance to complain of in the operation of the navigation laws?—No, none.

"You think the repeal of those laws would do you no good?—I do not think it would be of any material importance.

"Robert Brooks (Australian merchant and shipowner). Is your interest the greater as a merchant or as shipowner?—The larger portion of my capital is in merchandise.

"Do you understand the operation of the navigation laws?—No, I do not thoroughly; very few men do, I think.

"Are you aware of any inconvenience in the colonial trade from those laws?—I do not know of any whatever.

"Do you know of any complaint having been expressed till recently in the colonies from those laws?—I never heard of any; not even recently.

"Supposing they interfered with your trade, you would soon understand them?—Yes, no doubt.

"John Gore (merchant to New South Wales). Have you ever entertained the question of the navigation laws?—Never; I know nothing of them.

"You know nothing of them?—I never heard anything of them till lately.

"All you know is that they never interfered with you?—Never to my knowledge.

"Have you ever heard your friends complain of the navigation laws?—I never heard it mentioned till a few months ago, when something was said in the House of Commons.

"Francis Shand (merchant and proprietor in Antigua). Have you experienced any inconvenience from the navigation laws?—I am not aware of any.

"George Booker (merchant and proprietor in Demerara). As a West Indian proprietor, have you no reason to complain?—I have no complaint to make so far as regards the navigation laws.

"Thomas Augustus Gibb (merchant and agent, resident in China). Do you understand the operation of the navigation laws?—No further than that they restrict our direct shipments from China to British vessels—but I am not a shipowner.

"As a merchant, have you ever found any inconvenience from that restriction?—No; none at all. I do not anticipate that I should ship my teas cheaper if you were to abolish the navigation laws to morrow.

"Robert Alexander Gray (house of Melhuish, Gray, and Co., trading with Brazils, America, Newfoundland, Portugal, and Mediterranean). Have you experienced any difficulty or loss in your commercial transactions from the operation of the navigation laws?—Not in the slightest degree.

"Would the repeal of those laws place you in a more favourable position with respect to your export and import trade?—Certainly not.

"Are you a shipowner?—I am; but our interest as shipowners is so small compared to our interest as merchants, that I may say that my opinion on this subject is a disinterested one.

"Does not the prohibition to import the produce of the distant quarters of the world from Europe give rise occasionally to cases of hardship and inconvenience?—The instances of inconvenience are so few that I may say generally that no inconvenience has been experienced.

"David Cooper Aylwin (Calcutta merchant). Have you ever felt any inconvenience from the navigation laws?—As a merchant engaged in the constant importation and exportation of merchandise, I have, during a nine years' residence in India, invariably found that the navigation laws have secured me a regular and sufficient supply of shipping, at fair and moderate rates of transit. I should say that the removal of the navigation laws would not be of the slightest benefit to the merchant, as I do not consider they operate as a restriction on trade."

[Mr. Ricardo: Read question 603.] He would leave it to the hon. Gentleman himself to read it if he should think proper. It might be said that the gentlemen from whose evidence he had quoted confessed that they had not directed their attention to the subject, and that their opinion was not therefore entitled to much value. But it certainly appeared to him that no circumstance could more clearly demonstrate the position for which he contended—namely, that those laws did not inflict on our merchants any serious disadvantage, than the fact that the point had not been thought worthy of consideration by the most active and intelligent merchants in the country. Mr. Horsley Palmer, Mr. Bosanquet, and the other witnesses from whose evidence he had quoted, were not men of narrow intellect, or of inconsiderable standing in the commercial world; and the fact of such men not being aware that the continuance of the navigation laws operated against them as a grievance, afforded the most conclusive proof that the grievance did not exist. Under these circumstances he could not help thinking that it would be most unwise to unsettle those laws on which the foundation of our naval power rested. They had entered on a course which had this fatality, that if unfortunately for this country the proposed measure should not answer their expectations, it would be too late to retrace their steps. Once abandon these laws—once throw aside the barrier of protection, and they could never hope to clothe themselves with it again. The right hon. Gentleman then adverted to the magnitude of the shipping interest, and to the spirit of resistance which the proposed change in the law had brought into action. An interest which represented a capital of from

50,000,000*l.* to 60,000,000*l.*, and employed 290,000 seamen, ought not to be slightingly dealt with. Supposing that the higher consideration of national security was lost sight of, was the House prepared, without provocation, without any demand from without, prepared at the mere call of some hon. Gentleman who moved for the appointment of a Committee, before which evidence was taken, to rush into this wild scheme? They said that the House was about to do by sea what they had already done by land—they were going to make another political experiment. What was the menacing aspect—they were fond of the term—which justified them in doing injury to that interest? In his humble judgment such conduct was proof of nothing but dementation. Was it because they feared to give protection to anybody, and thought themselves bound to treat every interest as they had treated land? Had not the great metropolitan city, represented by the noble Lord at the head of the Government, called on the House to stay its hand? Could the noble Lord point to any strong expression of opinion on the other side from the same quarter? Had he brought up any petitions in favour of the measure from the city which he represented? All prudence and sound judgment were opposed to it. The voice which is now rising from every quarter will make its way to those to whose hands the Government is now entrusted, and they will learn that the first duty of a British Government—the first object of a British Legislature—should be to maintain British interests, uphold British commerce, and promote British enterprise; and that by cherishing those they will promote the greatness, safety, and honour of this great country, and make her continue to be what her naval power—to which her navigation laws have been auxiliary—has made her, the arbiter in the community of those nations of the world among which she is, and, if you stay your hands, may remain the mightiest empire. The right hon. Member concluded by moving that the Bill be read a second time that day six months.

The Amendment having been seconded, Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months." Question proposed, "That the word 'now' stand part of the Question."

MR. J. WILSON was ready to admit that the right hon. Gentleman who had moved the Amendment, had done so in language with which the Government had no right to complain. He had commenced his address by referring, in very high terms, to the petitions that were presented to the House that evening; and he (Mr. Wilson) would not wish it to be thought that he undervalued an expression of opinion from so important a body as the merchants of the city of London, especially when that opinion was backed by an equally strong expression of opinion from the merchants of Liverpool; but he would remind the right hon. Gentleman, that when Sir Robert Walpole first came down to the House to propose what was the greatest reform in the commercial system in this or any other country, he was met by a protest from the merchants of the city of London, and by them he was then obliged to abandon his Bill for the establishing of the warehousing or bonding system. He would not say one word that might be considered invidious; but he must remark, that a petition from London signed by 20,000 or 27,000 persons could not be taken as conclusive evidence with respect to the opinion of the citizens of London on the measure then under discussion. The right hon. Gentleman (the Member for Stamford), in alluding to the observations made on a former occasion by his right hon. Friend the President of the Board of Trade, in reference to the pressure experienced by the Government on this question from their fellow-subjects in Canada, had not fairly represented his sentiments; in fact, he (Mr. Wilson) was somewhat surprised at the unfair representation which the right hon. Gentleman had given of them. The right hon. Gentleman, referring to the petition of the Board of Trade of Montreal, said that the petition received last year was negatived by the petition since received, and that the petition of last year was founded upon a wrong impression of their true interests. He begged to call the right hon. Gentleman's attention to what he stated; he said the petition prayed for protection, and that, although the navigation laws were alluded to, they formed but a secondary part of the petition. Now, the Parliamentary paper was before the House, and he (Mr. Wilson) would turn to that, to see what they did ask for. The petition proceeded from the protectionist section of the Board of Trade of Montreal; but to that a counter petition had been presented by the free-trade members of the Board of Trade. The first thing which these Conservative parties prayed for was the repeal of the navigation laws, and the throwing open of the navigation of the St. Lawrence; and, secondly, the enactment of a measure imposing a moderate duty of 5*s.* per quarter on foreign wheat, colonial to be admitted free. The right hon. Member could hardly be aware, though he showed so much industry in making himself acquainted with all that took place in connexion with the subject, that after that petition had been laid before the House, they had two other petitions from Canada, solely for the repeal of the navigation laws: one from the Board of Trade, presented by his hon. Friend the Member for Kinsale; another from the Board of Trade of the city of Hamilton; and a third from the citizens of Montreal in public meeting assembled, presented to the House by the noble Lord at the head of the Government, all of which were in favour of a repeal of the navigation laws. Those petitions had been followed by an Address to Her Majesty of the Legislative Council and Commons in Canada, in Parliament assembled, which had been recently laid upon the table of the House, praying that she would use her influence to induce the Parliament to repeal the navigation laws. And notwithstanding those petitions, and the numerous public meetings which had taken place in Canada on the subject, they were now told by the right hon. Member for Stamford that the case, with respect to Canada, had fallen to the ground, and that the repeal of the navigation laws, instead of being any benefit, would be extremely prejudicial to that colony. He said, that it was not the navigation laws which impeded commerce there, but the difficult navigation of the St. Lawrence. They knew the difficulties which obstructed the navigation between Montreal and Quebec; but was that any reason why the British House of Commons should add artificial impediments? In fact, a stronger argument could not be used for the removal of restrictions as far as Canada was concerned. By the wisdom of that House, and the generosity of the mother country, who had advanced 2,000,000*l.* on the credit of the Government, Canada had been enabled to open a large inland navigation, and open a communication with the vast western lakes of America. What, then, must be the effect of imposing restrictions on the navigation of the St. Lawrence at its mouth, but to give an immense advantage to the trade of the United States through their canals? What was the use of all this expenditure if they were to impose, by their navigation laws, difficulties upon the free working of this line of canal? How could it be expected that the Canadians could ever repay the sum they had borrowed to construct the canal, if they were to be fettered by restrictions which this country placed upon them at the mouth of the St. Lawrence, thereby giving to the United States the benefits which they ought themselves to receive? Then with respect to the West Indies, to which the right hon. Member had also referred. He was sorry that some correspondence which had been recently received from the West Indies had not yet been laid before the House; in the course of a few days it would, however, be laid upon the table of the House. The House would see from these papers that the question of the repeal of the navigation laws, so far from having lulled, had increased considerably in importance. Hon. Members might think that the repeal of those laws would be no benefit to the West Indies; the colonists there, however, thought otherwise. Whether right or wrong in the opinions they had formed, they assumed to themselves the right of judging of their own interests. Could it really be believed that in the West Indies—exposed as the planters were to the competition of slave-grown sugar, and when labouring under a depression which he most readily acknowledged, although he might differ with hon. Gentlemen as to the cause—would be satisfied to pay from 3*l.* 10*s.* to 4*l.* of freight to an English shipowner, when a Danish vessel was ready to perform the same service at 2*l.* 10*s.*? He did not know whether the right hon. Member had seen an account of a large public meeting held in Jamaica during the last few months, where the strongest feeling prevailed in favour of the repeal of the navigation laws. Great stress was there laid upon the effect which the removal of the restrictions imposed by those laws would have in making Jamaica what it formerly was—the emporium of trade—in connexion with the Spanish main and the surrounding countries, and which it would be at the present time were it not for the existence of the navigation laws. It was clear, therefore, that, so far as the West Indies were concerned, the colonists considered that the repeal of the navigation laws would be beneficial to them. The right hon. Gentleman next proceeded to review the number of replies recently received from different Continental Powers. He seemed to argue as if he were perfectly unaware that the greatest portion of those Powers had really granted perfect free trade—in fact, all we could ask for or could have as far as shipping was concerned. They were, however, constantly reminded that treaties were about to expire, and that a more liberal course would be expected on our part towards them. Such was the case with Prussia; and Austria seemed surprised that we should ask her to reciprocate, because she knew that she had given us all she could, and complained because we had not conceded similar reciprocal advantages. With respect to a few general observations which he felt it his duty to make to the House on the subject of the repeal of these laws, he would first state that in his opinion the present was a time peculiarly adapted for carrying out the policy proposed by the Government. It was impossible to hide from themselves the effect of the great free-trade measures which had been introduced into this country during the last seven years. Hon. Members might differ in opinion as to the propriety of adopting that line of policy, and of the ultimate results of those measures; but, at all events, they could not differ in opinion with him with respect to the actual results of those measures since the year 1842, when the great system of reductions in the commercial tariff begun—was commenced by the right hon. Baronet then at the head of Her Majesty's Government. He wished now to call the attention of the House to the great increase which had taken place in the trade of this country in some of the more bulky articles of freight, in order to show how great had been the advantages which the shipping interest had derived from the policy pursued by this country between the years 1842 and 1846. Previous to the year 1842 live animals were altogether excluded from importation into this country; grain was excluded, except under a law which admitted it so seldom, and at such accidental periods, that the British shipowner could hardly have been said to have derived any benefit from that article of freight; timber was subjected to a very high duty; and flax and hemp were also liable to a considerable amount of duty. He would first refer to the north of Europe. In the year 1841 no live animals were imported; in the year 1848 there were 195,123. In 1841 the quantity of flax and hemp imported was 1,738,000 cwt.; while in 1848 it had increased to 2,300,000 cwt.; showing an increase of 600,000 cwt., or nearly 30 per cent. With respect to grain, the importation of that article of freight, previous to the year 1841, had averaged about 2,000,000 of quarters; for the last two years respectively it had been 12,000,000 and 7,000,000 of quarters; showing, therefore, an enormous increase with respect to the north of Europe since the adoption of free-trade measures. In the Mediterranean trade, a large increase had also taken place. In the article of currants, for instance, when the right hon. Baronet the Member for Tamworth proposed in his budget a reduction of duty on currants, many hon. Members, not knowing the great consumption of the article, appeared to treat the proposition with a sneer. Now, the trade in the Mediterranean afforded a vast amount of employment to a smaller class of vessels, and was one of very considerable importance. In the year 1841, the importation of currants was 173,000 cwt.; but in consequence of the reduction of duty upon them, the quantity had increased in 1848 to 402,000 cwt. Olive oil, from the same part of the Levant, had increased from 4,700 tons in 1841, to 10,000 tons in 1848. An enormous increase had also taken place in the trade with the United States. From 91,000 cwts. of provisions in 1841, the amount imported into this country from the United States had increased to 600,000 cwts. in 1848. In 1841, the quantity of cotton imported was 4,357,000 cwts.; in 1848 it had increased 6,362,000; showing an increase of 50 per cent. Now, cotton was a large and bulky article, and it required a very large additional quantity of tonnage to convey 2,000,000 cwt. additional to that country; so that it had called into requisition a very large additional number of English and American ships. Then, if they turned their attention to the colonies in the tropics, a corresponding increase would be found to have taken place during those years. In the Indian empire and Ceylon, the same effects would also be observable. In consequence of the reductions which had been made in the sugar duties, commenced by the right hon. Baronet the Member for Tamworth, and concluded in 1846 by the present Government, a great increase in the consumption had taken place. The quantity imported in 1841 was 4,905,000 cwts.; in 1848 the quantity had nearly doubled, having been 8,209,000 cwts. The quantity of coffee imported into this country had since the year 1841 increased from 43,317,000 lbs. to 57,000,000 lbs. in 1848. With reference to the Australian colonies, the quantity of Australian wool imported in 1841 had been 56,000,000 lbs., whereas in the year 1848 it had increased to 70,000,000 lbs. [Mr. HERRIES said that increase had taken place under the navigation laws.] Although that increase had taken place under the navigation laws, still it was in consequence of the adoption of the system of free trade that the increase had been so large as it was. But the most important article to which he would refer was that of timber. The quantity of timber imported from the British possessions in 1841 was 700,000 loads, and, of foreign timber—chiefly from the Baltic—it was 250,000 loads, notwithstanding the duty on foreign timber being reduced. Of foreign timber there had been a large increase. In 1841 there were 950,000 loads imported, and in 1848 there were 1,850,000 loads. The quantity of timber imported into this country from all parts of the world had thus been nearly doubled. The right hon. Member had referred to the threats of Prussia, the hints of Russia, and the invitations of the United States. Now he (Mr. Wilson) quite admitted that if there were no other grounds than those to be found for repealing the navigation laws, that they would not make a very strong case for the repeal of those laws. Hon. Members would find very strong arguments in the condition of the various interests at home in favour of the repeal of those laws. It was only in the last Session of Parliament, that a measure was passed admitting refined sugar at a considerably lower rate of duty than previously. The sugar refiners complained bitterly of the injury thereby done to their interests, and of their being excluded from taking into consumption cargoes of foreign sugars, introduced by foreign vessels into the ports of this country. It was impossible that those restrictions should be allowed to continue, or that these refiners should be exposed to the competition of Continental refiners, who had all the advantage of importing their sugars from the place of growth, without conceding to them a similar privilege. But that was the only one of a large number of trades which were complaining in the same way of the injurious effects of the restrictions imposed by the navigation laws. With respect to the supposed advantages derived from the continuance of those laws, it appeared by the evidence taken before the House of Lords last year, that the shipowners were no longer of opinion that the navigation laws were of so great importance. Mr. Young and Mr. Richmond, both of whom were examined before the Committee, had come to the conclusion, that they thought all the mischief done which could have been done by the operation of those laws. Mr. Richmond distinctly stated, "They are perfectly mutilated, and I was not aware that so little was left as there is." Mr. Young held the same language; and he (Mr. Wilson) thought they were quite right in their opinions, that those laws were of extremely little importance to the shipowners. With respect to competition, with whom was it that the British shipowner was not now competing? They were competing with every country, even according to the policy of the navigation laws themselves, independently of any consideration as to reciprocity treaties. The British shipowner was brought in direct competition with the American shipowner, and in his own market, where he had all the benefits derived from local connexions, part ownerships, and other advantages, none of which the British shipowner possessed in the American ports. The shipowner of this country had to leave Liverpool or the other ports with a comparatively light freight, and upon their arrival in the American ports, they had to compete with the Americans, and bring home cotton for the same price as they would charge. They had to compete with Prussian ships in the Prussian markets, with Spanish ships in the markets of Cuba. In fact, in every country, according to the policy of the navigation laws, without in the least degree owing to any newfangled notions of free trade, the British shipowners had to compete with other countries, and that too under the most unfavourable circumstances, and when the competition was likely to be the strongest. Why should not the shipowners of this country compete with other countries? There was no place in the world in which ships could be built cheaper, taking every thing into account, than in this country. Since the discussions which had taken place on this subject last year, additional evidence had been laid before the House. Mr. Minter, an American gentleman, a resident in New York, and connected with a line of packets between the two countries, and who was examined before the Committee, had stated that the copper for sheathing, and a great portion of the other materials, had to be imported into America from this country at a high rate of duty. There was other evidence to show that the shipowners of this country had the power to compete with other countries, and that evidence was to be found in the large increase of the tonnage of this country. The tonnage owned by the united kingdom in 1827 was 2,460,500; in 1844 it was 3,637,231 tons; in 1846 it was 3,817,112; and in 1848, 3,952,524 tons. In the debate of last year, the hon. Member for Buckinghamshire contradicted a statement made by him with regard to the total tonnage cleared inwards and outwards. He (Mr. Wilson) stated that the British tonnage cleared inwards and outwards in 1824 was 3,454,853; and of foreign, 1,506,148: in 1848, British, 8,688,148; foreign, 3,727,438—being an increase in British tonnage of 5,233,295, and of foreign of 2,221,290 tons. In both instances, he (Mr. Wilson) was quite correct in his figures. It appeared to him from these facts that the more the British shipowner was brought into competition with the foreigner, the better it would be for him. If this country could stand the test of a comparison with America in the increase of her foreign shipping, he thought it would show there was but little danger to the shipping interest of this country, when all the advantages of America were taken into consideration.

American tonnage for foreign trade was in—	Tons.
1827	747,170
1844	1,068,764
Increase	43 per cent.
United Kingdom:—	Tons.
1827	2,460,500
1844	3,637,231
Increase	48 per cent.
	Tons.
Increase—American	321,594
British	1,176,731

He would now compare the tonnage of American ships and British ships entering into American ports, and the result would show that the British ships had increased more than the American in their own ports. The tonnage of American ships entered inwards into American ports in 1827 was 918,000 tons; the tonnage of British ships entering American ports in the same year was 101,000 tons. In 1844 the American tonnage increased to 1,977,435 tons, whilst the British increased to 766,747 tons; being an increase of 110 per cent on the tonnage of American ships, and of 650 per cent on British tonnage. When the result was so favourable in competing with a nation of so much energy and capital as America—with a country of such vast extent, and a rapidly increasing population—he thought there could be but little danger to the British shipowner from any part of the world. It would hardly be possible to find a more trying test of the power of British shipowners to compete with foreigners than that. If further evidence were required to show the power of British ships and British shipbuilders to compete with other countries, it would be found in the increase of the number of ships which had been built during the two periods in question. The average tonnage of ships built during the three years preceding 1823 was 76,000 tons; but during the last three years it had increased to 250,000 tons. This great increase had taken place, notwithstanding all the disadvantages against which they had to contend. He had shown that in the long-voyage trade the shipping interest of this country could not be said to have any advantage with respect to the foreign trade. He did not speak of the colonial trade. ["Hear, hear!" *from the Opposition.*] Well, but he had shown them that the colonies considered the restriction of the navigation laws as so great a burden that they could no longer bear it, and that the West Indies and Canada were crying out against it. It was inconsistent with the interest of the colonies that the navigation laws should be any longer maintained. But with regard to that trade of which the colonies had no right to complain, they did come into competition with other countries under circumstances unfavourable to the British shipowner, and unfavourable through the operation of these very navigation laws which were passed to protect him. The British shipowner was subjected to this disadvantage, that he had to send out his vessel to foreign countries with ballast, or but partially laden, because the goods sent in the outward voyage were less bulky than those entered inwards; but the foreign competitor came into this country with bulky goods, which gave him an advantage. They had the advantage in the trade in their goods, because the British shipowner would have to compete for the timber cargo in Prussia with the Prussian owner, for the cotton cargo in an American port with the American owner. With regard to the Continental trade, they prohibited, in order to protect this long-voyage trade, the import of any of these articles from the continent of Europe. By that they did not protect their own shipowner, but they protected the shipowner of the United States, and of every other country with which they had direct communication. Thus they protected the foreign shipowner to the injury of the English owner. That was exemplified in the well-known case of the vessel which arrived in Havre laden with cotton at the time when the Revolution broke out. The owner was desirous of bringing the cargo to Liverpool, but he could not do it. But if it had been an American ship coming directly to Liverpool, there would be no difficulty in the matter. The right hon. Gentleman made a great many observations as to the evidence given before the House of Lords' Committee; and he said that some of the largest shipowners found it impossible to discover any inconvenience which arose out of the navigation laws. Now, there was a remarkable illustration of the operation of these laws, which happened in the case of a vessel freighted with hides. Mr. Gray, in his examination before the Committee of the House of Commons, like some of the witnesses quoted by the right hon. Gentleman opposite, said he knew of no disadvantage whatever resulting from the navigation laws; but further on, this question was put to him:—"Are you aware of any instance of inconvenience from these laws?" The witness answered "Yes;" and he went on to relate that an English vessel was freighted from America with hides, part of her cargo being to be landed at Cowes, but part of which belonged to another merchant, to be landed at Antwerp. This ship went into Antwerp, landed part of her cargo, but when about to sail for England with the rest, her owners and the British merchant discovered that the whole of the hides must be landed at Antwerp, because they could not be brought over to this country. A correspondence ensued between the merchant here and the Board of Trade; but the result of it was, that all parties found it impossible, under the existing law, to remove the hides from Antwerp, the ship being a British ship; for the law would not have applied to foreign vessels; and therefore the merchant was obliged to sell at a loss in Antwerp what he might have disposed of in this country at a profit. Yet this was the gentleman who, a few questions before, said he knew of no inconvenience arising from the operation of the navigation laws. So much for the worth of such general statements as had been quoted on the other side. This was but another instance of the extent to which they were protecting the foreign shipowner by their legislation, to the detriment of the British shipowner; for a foreign vessel could have brought over the cargo at the same freight. Was that, then, he would ask the House, an inconvenience such as a great country like Britain ought to be exposed to? But how did Mr. Gray propose to remedy it? He proposed that in all cases of vessels being freighted, but with their destination at the time being uncertain, they should be furnished with certificates whether or not the cargo was intended for the British market, and that the cargo, accompanied with such a certificate, should have the privilege of being landed in an English port. Now, he would ask the right hon. Gentleman whether in such a case all the coffee shipped from South America, and all the sugar shipped from Java, would not uniformly be accompanied with certificates to secure their admission here? Would not what was suggested be a mere clumsy evasion of the law? He might be told, however, he was making out too strong a case; for Mr. Richmond, in his evidence, said that these laws were of no benefit to the shipowner, and they imposed no injury upon the consumer, because they had no effect in raising the rate of freight. However that objection might be urged, he really could not conceal his opinion that the average rate of freights was not raised by the operation of the navigation laws. After a long and careful study of the subject, he could not bring himself to believe that the British shipowner commanded on the average a higher rate of freight through restriction, any more than the English manufacturer would be benefited by an import duty on calicoes, whilst he was a large exporter of them. But he might yet be asked, "what injury, then, do the navigation laws inflict?" It had been said, and he thought very fairly and properly, that the injury arising from those laws was much more real than apparent. Every now and then there were bad harvests; there were unexpected deficiencies in the grain crops or the sugar crops, causing a sudden and unusual demand for shipping; and on such occasions, and in such emergencies, the freights of British ships were higher than those of other countries; and two years ago, they were obliged to abandon the navigation laws in order to allow foreign ships to bring corn to this country on a great emergency. It was on such accidental occasions that the navigation laws became a peculiar burden. But did the high freights which British shipowners received at such periods do them any good? He believed that nothing could be more detrimental to the real interests of the shipowners of this country than the occurrence of those accidental periods of high freights, for they were invariably followed by such a great supply of shipping that there was a ruinous reaction, which generally lasted for two or three years. ["Hear!"] An hon. Gentleman shook his head, as if he doubted his statement; he would therefore refer to a few facts. During the last twenty years, there had been two periods in particular of extraordinary demand for shipping, succeeded by corresponding depression. He would begin with 1821. In three years, commencing with 1821, the average tonnage of the ships built was 76,000 tons per annum. In 1824, there arose very great speculation in shipping, and in consequence of the sudden large importation of various commodities, the shipowners received high freights. What was the result? Why, that in the two succeeding years, instead of ships being built annually to the extent of 76,000 tons, the tonnage of new vessels was 205,000 tons. What followed? A period of four years, during which there was the greatest depression amongst shipowners ever known in this country. In the three years from 1829 to 1831 the tonnage of ships built was 115,666 tons per annum. The position of matters went on gradually improving until 1836, and in the three years ending 1837 the average shipbuilding was 182,806 tons. But let the House mark what followed. Every one remembered the bad harvest of 1838; every one remembered the importation of 3,000,000 quarters of foreign corn in 1839, and the difficulty which was experienced in obtaining British ships to import corn in that year. Further, every one remembered—for every one had felt year after year since that period — the inconveniences which resulted—the disarrangement of the money market—the impossibility of feeding the population—the gloom and despondency in all directions. The shipping interest was the only interest which flourished at that period. And what was the result of its prosperity? In the next three years, instead of 182,806 tons, no less than 319,110 tons of shipping per annum were built. He would now ask the hon. Gentleman opposite (Mr. Robinson), whose connexion with the London shipping for a period of thirty years entitled him to speak upon the subject, whether he remembered the depression in the shipping interest of the years 1842 and 1843; he would ask him whether he remembered the effect of the large production during the preceding three years? He (Mr. Wilson) recollected being down in Liverpool at the time, and the merchants and people there remarked that they never had seen so many ships with the broom at their mast heads, the ordinary signal of a vessel being for sale. The language used to the Liverpool merchants and shipowners during the years 1842 and 1843, was, "Your ships are rotting in your docks, and your trade has gone to decay." Yet what else could have followed the unnatural stimulus which had been acted on to the utmost? In the three years following that period, instead of 319,110 tons, the new tonnage amounted to an annual average of 154,005. Here was a change! Where, then, he asked, were the advantages to the shipowners when they availed themselves of these high freights? He did not hesitate to say that they did a vast injury to the consumer and to the commerce of the country, and instead of bringing the shipowner a benefit, they were the immediate occasion of immense injury to him also. How much better would it have been to have resorted to foreign ships on such occasions as the occurrence of a bad harvest, or when deficiencies in the crops had to be supplied? Yet the tale of high freights was the most that could be said for the British shipowner in connexion with the navigation laws, and when there came a serious press of trade, as in the year 1847, they were obliged to suspend the navigation laws for the time. No one would argue that such occasional excesses were desirable in trade; that which was the produce of the greatest uniformity was the best both for those engaged in shipping and those who were supplied by it. Now, he begged the attention of the House to the great disadvantages under which the British shipowner laboured. His freight often depended on pure accident; it depended often on the number of ships in the port, where that number might be too small or too great. If the British ships were too few, the crops must yet be shipped; and as they could not charter a Dutch vessel, though she happened to be passing at the time, the freights of British ships immediately rose. On the other hand, it might happen that the produce for the year was small as compared with the number of ships in the port, and the vessels, many of them, would be obliged to go elsewhere in search of a freight. Such were the disadvantages under which the interest he was speaking of was now compelled to labour. No one knew better than the hon. Gentleman opposite (the Member for Huntingdon) the inconvenience which had at certain periods been occasioned by not allowing foreign ships to bring sugar from the ports of Mauritius and other distant colonies, however desirable it might be to employ them; while, if the demand ceased, or a particular crop happened to fail, the British vessels which had gone out were obliged to seek cargoes elsewhere at lower freights. The right hon. Gentleman who preceded him had enlarged at great length on the importance of the navigation laws, not in a commercial sense, but as to their political influence on the defences of the country. As that was a question on which he would not say much, whatever might be thought of it, admitting for the time that the hon. Gentleman was right in his conclusion, for he would not now consider whether or not the commercial navy was necessary for the maintenance of the Royal Navy; but admitting it, for argument sake, he would ask how could the Royal Navy be best supplied, and whether the effect of the navigation laws and the system with which they were connected had been favourable or not to that end? He begged the attention of the House to the number of men employed in the commercial navy of late years, during the various changes that had been made in the commercial policy of the country. He had already shown the large increase which the adoption of free trade, since 1842, had occasioned in the mercantile trade of the country. In the first year he had named, in the year 1842, the number of men employed was 181,000; but in 1847, 252,000. So that, taking it as an admitted principle, for the time being, that the commercial navy was necessary for the maintenance of the Royal Navy, it was found that the system of free trade, as opposed to the restrictive policy, and therefore to the navigation laws, gave an increase in the number of men employed to the extent of 252,000, as against 181,000, being a most irrefragable proof that the interests of the Royal Navy, in that view, would not suffer by a repeal of the navigation laws. Whether they looked, then, to the arguments cited in that House, or to the evidence taken before Parliamentary Committees, Her Majesty's Government were of opinion that the time was come, as was evidenced by powerful indications, when restrictions on shipping ought to be abandoned, and when that important interest should be exposed to that healthful competition—for healthful he believed it—which influenced all the other interests of this country. Now, how was it to be accomplished? He believed the measure before the House was not only the wisest course, but the only practicable course which could be adopted for the benefit of those engaged in the navigation and commerce of this country. He was sorry to see the right hon. Gentleman the Member for the University of Oxford was not in his place, for that Gentleman, in one of the most able speeches that had ever been delivered in that House on the subject which now occupied their attention, spoke much in favour of proceeding by treaties and reciprocity. [Mr. CARDWELL: Reciprocity, not treaties.] He hoped very briefly to show not only the inconvenience, but the impracticability of proceeding by reciprocity. He objected to reciprocity—first, beceuse it was against principle; secondly, because it was not wise in policy; and, thirdly, because it was inconvenient, if not impossible, in practice. He believed that one of the greatest errors which the Legislature of this country could commit, would be to countenance, by any step, an opinion which for years had been gaining ground on the continent of Europe, in regard to the commercial policy of this country. Nothing would be more prejudicial to the spread of free-trade principles among the countries of the Continent than that this country should appear to sanction the notion entertained by foreign Governments, that the British Government made concessions on their part, not for the benefit of commerce, but for the concessions which might be thereby drawn from foreign countries in favour of England. He said nothing could be more prejudicial to the real interests of commerce than any step to sanction such a notion; for he found that a most exaggerated opinion had been formed by other Governments, and the Ministers of other countries—men of great intelligence, from whom one would have expected better things. So erroneous was the opinion thus entertained as to the views and motives that prompted the commercial legislation of this country, that he would beg the House to pause before they would sanction the rejection of this measure, and so condemn the course which they had been pursuing for years, and so countenance the notion that, in advocating the principle of free trade, which they had put so broadly before the world, they had acted entirely with a narrow view to the interests of this country. Many of the Ministers of other countries deprecated the sending of an English ambassador ostensibly to negotiate treaties of reciprocity, for they said, England was rich, an old country, well established, with large capital, and extensive trade and colonies, having power sufficient to avail herself of any advantage as soon as it might be opened —a power, however, which these other countries supposed they did not possess, and, therefore, the people looked upon all negotiations of this kind with a jealous fear, as if their interests were about to be betrayed. Such was the language used to him by intelligent Ministers of other countries, and he, therefore, thought that treaties on the basis of reciprocity, so far from being attended with benefit, would actually throw difficulties in the way of those who were willing to meet us. He objected to the principle of reciprocity for this reason: that, if fully carried out with every country with which a treaty might be negotiated, they must act towards that country in the spirit in which that country was pleased to act; or, in the language of a well-known gentleman (Mr. Bancroft), to those who gave little, give little—to those who gave much, give much—to those who gave all, give all. On the reciprocity basis, they must proceed on the principle of equivalents, and that was impossible. Where, he asked, was the country that could give much to Great Britain? and, still more, where was the country that could give her an equivalent to the advantages which she was able to confer? Except America, who possessed greater power to satisfy this principle, but by no means power to supplant, there was no country in a state to enter upon the reciprocity principle in its strict and proper acceptation. Other countries had no colonial possessions; they had no equivalent advantages to offer in return for those conferred by England. He admitted that there was a great distinction between reciprocity in shipping and reciprocity in produce. He would not evade that question. It was quite clear that, if they imposed retaliatory duties on the produce of various countries, for the purpose of meeting duties imposed on their own goods, they did not visit the same interests with this retaliation. For example, they sent their cotton and woollen goods to Prussia; they received from Prussia corn, timber, and wool. If Prussia imposed high duties on their cotton and woollen goods, they could only retaliate by putting high duties on the corn, timber, and wool of Prussia when imported. But, then, in this case they did not retaliate upon the same interest. The Prussian Government punished the woollen manufacturer and the cotton manufacturer of England, by imposing high duties on their goods; and, then, the English Legislature punished them again by imposing high duties on the raw material from which those goods were manufactured. Nothing could be more monstrous than such a course of proceeding. The hon. Gentleman the Member for Buckinghamshire had talked, on the previous evening, of those who took superficial views of commercial policy; but how any one who took anything but superficial views could talk about proceeding on the principle of reciprocity, with regard to produce, in such a case as he had supposed, when that principle would lead them to such a result, was to him quite inconceivable. It was punishing interests of their own which had been already punished sufficiently in foreign countries. If they acted on the principle of reciprocity, they must give perfect freedom of trade to those who gave perfect freedom of trade to them. They must impose a duty corresponding in amount to those which were imposed on their own goods. If the United States admitted their goods free, then they must admit the corn of the United States free. Supposing that Prussia admitted their goods only at a duty of 20 per cent, then they must impose a duty of the same amount on the corn and timber of that country. Supposing that Russia at the Black Sea imposed a duty of 50 per cent on their manufactures, then they would have to impose a duty of 50 per cent on the corn and timber of Russia. They must, in fact, have distinct treaties, and distinct tariffs, and there would result a most complicated system of international commerce. Either reciprocity meant that, or it meant nothing. He fully admitted, however, the great practical difference between that kind of reciprocity and the reciprocity which the right hon. Gentleman the Member for the University of Oxford alluded to in his able speech last Session. By imposing restrictions on foreign ships corresponding with restrictions imposed on their own, they would have the advantage of dealing with the same interest, and the weapon much more likely to be effectual, because those for whose sake duties were imposed abroad would be subjected to corresponding disadvantages in this country. He admitted that there was a great difference between the two cases. But, then, what was the great object of repealing the navigation laws? That object must not be lost sight of. The great object of repealing those laws was to do justice to the colonies, to answer in a becoming manner the address of the Legislative Assembly of Canada to the Throne, and the appeals from Australia and the West Indies; to do justice to the sugar refiners of London, who said that they could buy cargoes of sugar brought by foreign ships, *2s.* or *3s.* per cwt. lower than cargoes brought by English ships; to give a proper reply to Lord Harris's communications on behalf of the suffering planters of Trinidad; to take from the Guiana planter the power of saying that he could export his sugar to this country at a lower freight in Danish ships than in British, and from the wool grower of Australia his present ground of complaint, that he could send his wool home cheaper in a German ship, which had carried out German emigrants, than in one of the ships of his own country. What answer would it be to the people of Canada to say, "We are very anxious to take off these restrictions, and to allow you to avail yourselves of the Bremen ship lying in the St. Lawrence; but then the Bremen Government do not choose to enter into treaty with us." What answer would it be to any of these parties to say, "We are very sorry we cannot do what you wish us to do, because there is another country which will not do what we wish it to do." He could quite understand that that would be the proper principle to act upon, provided there were no motives of a great internal and imperial character which should form the basis of their legislation. If they were now asking concessions for the purpose of extending their own trade, or of obtaining some theoretical advantages which they hoped to secure, he could then understand such a principle. But when palpable, existing, and well-defined evils had been stated in that House, in language which could not be misunderstood; and when those evils had been admitted—and if they were not admitted there would be no cause for introducing that measure at all—he could not conceive why they should be expected to make their own policy dependent on the caprice, or folly, or ignorance, of any foreign Government. But he objected to the adoption of the principle of reciprocity on another ground, viz., that it would introduce great practical inconvenience. On this point he would now appeal to the right hon. Gentleman the Member for the University of Oxford—[*Mr. Gladstone had just entered the House and taken his seat*]—whose experience and conduct during the time when commercial legislation went through its greatest changes entitled him to the greatest possible weight in that House. He (Mr. Wilson) had spoken of the immense variety of treaties which would be required if the principle of reciprocity was proceeded upon with regard to manufactures and produce; but a corresponding or analogous difficulty would arise from the adoption of that principle in the case of shipping. Very intricate and complicated regulations would be required. Supposing they found a country which was disposed to give all—they themselves would be obliged to give all. But then it must be borne in mind that there were twenty countries with whom they already had treaties, and to whom they were bound to extend the advantages which were obtained by the most favoured nations; and, therefore, if they gave new privileges to any one country, they must at once extend them to all the other countries which stood in the same position. He objected to reciprocity, because he believed it would only lead to a great evasion of the law. Suppose Hamburgh, or any other town on the Continent, were to give this country all that it required, and that in return its ships were placed on the same footing as British ships; what guarantee would they have that a third country, which had given them nothing, would not derive the same advantages as Hamburgh; or that the sugar of Java, and the coffee of South America, would not be brought to this country in the ships of Hamburgh? There would be no end to evasion. Well, then, it was said that all the important countries with which they traded at present would no doubt, enter into treaty with them, being already disposed to do so. The right hon. Gentleman who had last addressed the House had thrown out some very unworthy imputations on the United

States, expressing his doubts as to the sincerity of the professions which were put forward, in that country. The right hon. Gentleman ought to know that there was nothing new in the position of the United States with regard to the navigation laws; that all which had been said of late on the subject was in accordance with the general spirit and policy of that country, as exhibited for years. The right hon. Gentleman admitted that he thought the United States would reciprocate; Prussia, he said, would reciprocate, for she had already given what was asked; Russia and Hamburgh would do the same. Very well, then, what had this country to fear? If these important countries would give them now all the advantages which they could obtain from reciprocal treaties, or from the carrying out the principle of reciprocity without treaties, what had they to fear from taking the simple course of repealing the navigation laws? The House had been told that it was not likely that other countries would year after year keep their ports hermetically sealed. ["Hear, hear!"] Hon. Gentleman said "Hear, hear!" because they had got certain advantages now. Were they sure of keeping them? What was to be said in reference to the sulky language recently used by Austria in reply to letters from this country? But there were some countries from which we were not to expect the same reciprocity. It was admitted that we shall not expect it from France, Spain, or Belgium. And suppose that we do not get it from France, or Spain, how much worse off should we be than now? At this moment, France and Spain had great privileges in this country. France had the right, according, not to treaty, but to the general policy of our navigation laws, to send her produce direct to this country in her own ships. But to what extent did she avail herself of this privilege? To very little extent, indeed; while as to Spain, with all the privileges she might exercise, did she so think fit, her trade with this country was mostly carried on in British ships. Spain had the right to bring sugars here on the same terms with British ships; but what was the actual fact? That nine-tenths of the sugar from Cuba came in British bottoms. What, then, had we to fear from these countries? Nothing; while, on the other hand, all the really important commercial countries had already established by their policy as to navigation all that we could ask from them in reciprocity. He considered that the great objects which the commercial classes of this country ought to aim at were the greatest possible degree of certainty, and the greatest possible degree of simplicity, in their transactions. He believed that if we relied upon reciprocity, there would be infinitely less certainty and infinitely greater complexity for the British merchant to encounter, than under any other system. He would, for one thing, be constantly subject to the alternations resulting from the varying aspect of negotiations that might be pending between this country and others, and hence would clearly result great uncertainty, and great complexity. He knew it might, and he had no doubt it would, be said that the reservation which Government proposed to leave to the discretion of the Queen in Council, tended in some measure to the very object contemplated by hon. Gentlemen opposite; but, on that subject, he was disposed at the present moment, to say very little. This he would observe, however, that whereas free trade unrestricted would be in the one case, the rule, and restriction, if they so pleased to call it, the exception; in the other case, restriction would be the rule, and free trade the exception. As far as these reservations were concerned —whatever they might be, or however much worth—he did trust that freedom of commerce would be the great rule by which this law would be carried out in our transactions with foreign countries, and that hostile reservations, if even resorted to, would be the rare, the very rare, exception.

The MARQUESS of GRANBY said: I hope the House, in coming to a decision on this important question, will not allow itself to be influenced by the arguments used in the commencement of the speech of the right hon. Gentleman who introduced this measure. The right hon. Gentleman contended that, whatever might be the consequences—whatever might be the effect—however unfortunate and however mischievous the results might be of the course which the Legislature had adopted for the last four years, that course was to be persevered in, and the laws which so long protected the navigation of Great Britain must be repealed. Now, I hope the House, in coming to a decision on this question, will decide according to present circumstances, and not in accordance with any antecedent legislation. The question we have to consider is, whether the British shipowner can or cannot compete with the foreigner. If it is capable of demonstration that he cannot compete, I do not think that this House would be acting right, because it has adopted the principle of free trade in other cases, to adopt it in this particular instance also. It is very easy to understand, and very easy, I think, to demonstrate to this House, on the evidence which has been taken before the Lords' Committee, that the British shipowner cannot compete with the foreigner; and the proof of it is, that everything in this country is very much dearer than in foreign lands—the wages he has to pay are much higher, and his materials he has to purchase at a much greater cost than the foreigner. The consequence is, that ships built in England, even those built in Sunderland, where the cost of construction is much smaller that at any other British port, are much more expensive than those of any foreign country whatsoever. I will not trouble the House with the details I intended to refer to, because it is universally admitted that the ships built in England are much dearer than the ships built abroad. But, Sir, I cannot refrain from alluding to the price of American ships, because the hon. Gentleman who spoke last, referred in a special manner to the ships built in that country. I find that Mr. Minter, in his evidence before the Committee of the House of Lords, said that the price of American ships was 14*l.* a ton, and that the price of English ships, class A 1, averages from 24*l.* to 26*l.* per ton. You will thus perceive that it is evident English ships cannot compete with American. With regard to America, the registered tonnage in the year 1847, was 2,838,045, but in 1848 it had advanced to 3,154,041, being an increase of 315,996 tons. Again, the tonnage built in the United States in the year 1846, was 188,203 tons, but in 1847 it had advanced to 243,743 tons, and in 1848 to 318,075 tons. With regard to the American tonnage entered into the ports of this country I find that the comparison between British and American shows the following result—British tonnage entered inwards from the United States in 1847, 205,123 tons—American tonnage, 435,399—excess of American over British tonnage, 230,276 tons. Again, if we look to the British tonnage employed in the trade with our colonies, and compare it with the American tonnage, we shall find that the American tonnage to our colonies, increased from 1825 to 1846, by 1,635,828 tons. Nevertheless, in the face of these facts, the hon. Gentleman the Member for Westbury says we shall be able to compete with the American tonnage. It is impossible we can do so. The capabilities of America and the extent of her resources forbid us to entertain any such anticipation. I will read a few extracts from Mr. Mackay's new book, *The Western World,* to show what the resources of America are. Mr. Mackay writes—

> "Her resources in almost every point of view are infinitely greater than any that we possess. Look at her forests, her fertile valleys, and vast alluvial plains. Look at the variety of her productions, including most of those that are tropical, and all that are yielded by the temperate zone; and look at her mines teaming with coal, iron, lead, copper, and, as has just been discovered, wish silver and gold. Look again at her enormous territory, and at the advantages she possesses for turning all her resources into account, in her magnificent systems of lakes and rivers: in her extensive sea-coast; in her numerous and excellent harbours; and in her geographical position, presenting, as she does, a double front to the Old World, or holding out, as it were, one hand to Asia and the other to Europe. But such resources and advantages are only valuable when properly turned to account. It is only by their being so that they will become formidable to us. We have only to look to the race possessing them to decide whether they are likely to be turned to account or not. The Americans are Englishmen exaggerated, if anything, as regards enterprise. This is not to be wondered at, as they have, as a people, more incentives than we have to enterprise. Of this we may rest assured, that the most will be made of the resources and advantages at their disposal. This is all that has made us great. We have turned our coal and our iron, and our other resources, to account, and the world has by turns wondered at and envied the result."

Then, with regard to the iron which the hon. Gentlemen opposite says America will have to purchase from this country, I find Mr. Mackay says—

> "The American stock of coal and of iron is more than thirty times as great as ours, and more than twelve times as great as that of all Europe. Their other resources are in the same proportion, as compared with ours. And if our resources, turned to good account, have made us what we are, what will be the fabric of material greatness which will yet spring from the ample development of resources thirty times as great? If the industry of from twenty to thirty millions of people, with limited means, have raised England to her present pinnacle of greatness and glory, what will the industry of 150,000,000 yet effect in America, when brought to bear upon resources almost illimitable?"

But, Sir, though I agree with Mr. Mackay in his estimate of the vast resources of America, I do not agree with him in his conclusions. He says—

> "It is the consideration that America will yet

exhibit in magnified proportions all that has tended to make England great, that leads one irresistibly, however reluctantly, to the conclusion that the power of England must yet succumb to that of her offspring? There is, however, this consolation left us, that the predominant influence in the world will still be in the hands of our own race. That influence will not pass to a different race, but simply to a different scene of action. It has been England's fate, during her bright career, to plant new States, which will inherit her power and her influence after her. On the continent of North America, on many points on the coast of South America, at the southern extremity of Africa, throughout wide Australia, in New Zealand, in Van Diemen's Land, and the Indian Archipelago, the Anglo-Saxon race will prevail, and the Anglo-Saxon language be spoken, long after England's glories have become historic and traditional. These different communities, flourishing remote from each other, will all be animated by a kindred spirit, and will cherish a common sentiment of attachment to their common parent, who will long exercise a moral influence over them, after her political power has been eclipsed."

He further goes on to say—

"Not that England will not always be able to maintain her position in Europe. The powers which are destined to overshadow her are springing up elsewhere, and are of her own planting. Of these the American Republic, or Republics, as the case may be, will politically and commercially take the lead, when England, having fulfilled her glorious mission, shall have abdicated her supremacy, and the sceptre of empire shall have passed from her for ever."

I do not believe that if we protect the industry of this country, that if we retain our navigation laws in their present integrity, this country need succumb to America or to any other country on the face of the earth. But it is an argument often used that the energy, the enterprise, and the industry of our shipowners and of Englishmen generally is so great that they can compete with any nation in the universe. I readily admit the industry and enterprise of the British people; but I am not ready on that account to expose them to a competition against which I am convinced they cannot successfully struggle. I fear that that competition to which you appear determined to subject them, instead of animating them to increased exertion, will paralyse their great energies and damp their noble spirit. Why, Sir, it has been even said, that our English captains need the impulse of competition, in order to induce them to take proper care of their cargoes, and to maintain their ships in an efficient condition; but in reply to this extraordinary assertion, what was the evidence of Mr. Bosanquet on that point, a large West India merchant. He said—

"I think the British shipowner for some time past has been rather badly paid. I found at one time that our risks were telling very much against the insurance office, our freights being low; and I found at one period that the ships came home, as far as I could ascertain it, half handed, with one pump where there ought to have been two, and with less men than they ought to have had, and this in proportion as our freight fell."

Does not this prove that if you bring the shipowner into competition with the foreigner, and so diminish yet more his profits, he will find it wholly impossible to bear up against the effects of a ruinous competition? Another witness examined before the Committee, Sir Joshua Walmsley (a free-trader) says—

"I think the British shipowners do not pay English captains well enough, neither do I think they treat them with sufficient respect."

Does not this prove, that if you diminish the profits of the shipowners, they will find it more difficult than ever to give an adequate remuneration to their captains? If an insufficiency of remuneration is already complained of, will not the evil increase if you abrogate the navigation laws? I think it is generally admitted that British ships are more costly than foreign; but hon. Gentlemen opposite say, although it may be true that a foreign ship is cheaper of construction than an English ship, in point of fact, a dear English ship is in the end cheaper. ["Hear, hear!"] I think that is a mistake; and though I may not be in a position to prove it to the satisfaction of hon. Members opposite, I believe I shall be enabled to do so to that of the majority of the House. Mr. Young in his evidence before the Committee in the House of Lords, says, that he took the trouble to make calculations with respect to the duration of a certain number of British ships. He selected 300 British ships, and he found that they lasted on an average rather more than thirteen years. He then selected 300 foreign ships, and 100 Baltic, and he found that the foreign ships lasted 11 years and 96 days, and the Baltic ships 13 years and 8-10ths, or 5-10ths longer than the British ships. Mr. Young also stated, that a Baltic ship on Lloyd's register for 7 years was more valuable than a British ship registered for the same period. Thus it will be seen, that when they come into competition, the cheaper Baltic ship will be a more serviceable vessel to the owner than the ship constructed at so much larger cost in England. With respect to the question as to which description of ships will be employed in the foreign trade of this country, you must consult the opinions of the British shipowners, who are the persons who will have to compete with the foreign rivals. The entire number of British ships built in 1840 was 906, and in the colonies, 153; total built in that year, 1,059. Now, of these there were above ten years upon Lloyd's register, 308; under ten years, 751; proving that, in the opinion of British shipowners, the class under ten years' register were more profitable and more serviceable to them than those registered above that time. If we take the year 1846, we find that the number of British and colonial ships built in that year was 643, being a considerable falling-off as compared with 1840. Of these there were above ten years on Lloyd's register, 180; under ten years, 463; showing that, in the opinion of the shipowners, the ships under ten years were more valuable than those above that term. I was speaking to a gentleman this morning, who informed me he was about to charter two English ships for Jamaica, but in consequence of his belief that you were going to repeal the navigation laws—a presumption on his part which was based on the correspondence which has taken place between the Government of this country and those of foreign nations—he chartered instead two Danish ships at a reduced rate of 7*s.* 6*d.* per ton. What evidence could be stronger or more practical than that? Is it not evident that these cheap Danish, Russian, and American ships will and must displace our own? A shipowner carrying on extensive transactions in Liverpool, and who also gave evidence before the Committee, informed me the other day that he was going to build another ship, but that he delayed doing so until he knew whether it was indeed in contemplation to repeal the navigation laws, for if so, he was resolved to have his ship built in America. That, I think, is another significant fact, and one which sufficiently indicates what we may expect in the event of the navigation laws being repealed. With respect to reciprocity treaties, of which we have heard so much, I will not go into the details of Mr. Porter's tables, which have been proved over and over again to be fallacious and unworthy of credence; but this question I will ask: supposing you are correct—supposing we have been able to enter into competition with cheap foreign ships—supposing we have entered into rivalry with the ships of France, Russia, Denmark, Norway, and other States, what have you profited? Remember your present measure is founded upon a totally different principle from that of reciprocity treaties. You must bear in mind that, under those treaties, you confine the ships of foreign nations to particular descriptions of traffic, and that you do not allow them to enter into competition with you in those trades where you have already a decided advantage; but if you let them compete with you in the entire trade of the world, they must eventually defeat your British shipping. Do you deny the fact that we are unable to compete with the Baltic and American ships? The tonnage entered inwards from Sweden, Denmark, Norway, Prussia, and other countries, in 1846, amounted to 571,161 tons, whilst the British shipping only amounted to 88,894 tons, making a difference of 482,267 tons. With respect to America the British tonnage entered inwards in 1846 amounted to 205,123 tons, while the American tonnage entered into our ports was 435,399 tons, being an excess of 230,276 tons in favour of America. But, Sir, with respect to those reciprocity treaties, I contend that, even under present circumstances, our shipping with foreign countries has not increased in the same proportion as the foreign tonnage has increased. I know it is generally believed that British shipping has the advantage, but I will prove to the House that this is not the case. The total tonnage of British ships entered inwards at foreign ports in the year 1847, was 2,564,865; but from that total amount you must make a deduction for the difference between the new and the old measurement, and for repeated voyages, of 25 per cent. This deduction of 25 per cent amounts to 644,200 tons, making, according to the measurement of 1824, instead of 2,564,865 tons, 1,920,665. The total foreign tonnage in 1847 was 2,253,939 tons; therefore, the superiority of the foreign over the British tonnage in the import trade of this country in that year was 333,274 tons. If, therefore, you allow foreign ships to enter into competition with you in the whole of the foreign and colonial trade, which we now keep exclusively to ourselves, no man can doubt the extent of the injury you will infallibly inflict on the British shipowners and traders of the country. Now, Sir, I would wish the House to observe also, that in looking to the present condition of the British shipowners, they must not only look at the increase of tonnage of British ships of late years, but also to the proportion of the ships that go out in ballast. I find that the average of British shipping engaged in the foreign trade was, in 1820, 22 per cent; but, in 1847, it had increased to 51 per cent; and again I find, in 1814, that the average foreign tonnage in the British foreign trade was 241 per cent less than British, but, in 1847, the foreign tonnage was 21 per cent more than the British. If anything can show the advantage to the foreign trade, I think that will. Then, again, I find that, deducting 25 per cent, the average increase of British tonnage from the year 1814 to 1847 was 134 per cent; but the increase of foreign tonnage for the same period was 259 per cent. In considering this question in all its bearings, I hope the House will not forget the number of artisans that will be thrown out of employment by the repeal of the navigation laws. You cannot deny this fact, because one of your main arguments in support of the repeal of the navigation laws is that the British shipbuilder has now a combination by which he keeps his rate of wages at 6*s.* per day, but which scale you are now anxious to deprive him of. Sir, I can predict that the noble Lord at the head of the Government, who is not now in his place, will at some future day, when he is about to ruin some other class (if, indeed, any will remain to be ruined), come down and say, "In former years there was a class of men in this country who depended for their livelihood upon building British ships; that class has been destroyed by competition with foreign countries. These men were happy and industrious; they received 6*s.* per day for their labour; but in consequence of the competition to which they were exposed, they were deprived of their employment—great distress existed among them at first, but some of them have betaken themselves to other occupations, and others have emigrated." Such was the language of the noble Lord a few nights ago, when he alluded to the inhabitants of the Hebrides. Well, what are the advantages which you propose to gain by the repeal of the navigation laws, and to obtain which you are ready to commit this gross injustice on British shipowners, and to ruin a vast number of artisans and shipbuilders? The first advantage which has been put in the front of the battle is the case of Canada; and here I wish to allude to a remark which fell from the hon. Gentleman the Member for Westbury, who asked what answer he was to give to the petitions of Canada—what answer to give to the petitions of the West Indies—what answer to give to the man who lost his hides? But let me remind the hon. Gentleman, in reply, that while he is so anxious to attend to the petition of twelve men in Canada, he altogether disregards the opinion of the majority of the inhabitants of New Brunswick and of the town of Hamilton. He admits that he is ready to pay attention to the petition of twelve men in Canada, and of certain persons in the West Indies; but I ask him, what answer is he to give, and why is he not ready to pay attention to the petition signed by 27,000 of the most eminent merchants in the city of London? If the petitions of Canada and the West Indies are to be attended to, why should the petitions of the shipowners of Liverpool be set aside? I say that this conduct is grossly inconsistent, and I hope the merchants and shipowners of London and Liverpool will not submit to it. With regard to Canada, my right hon. Friend the Member for Stamford has argued so ably upon that part of the question, that I will not seek to weaken his position by following in his track; but when you say the repeal of the navigation laws will be a great boon to Canada, do you remember the difficulties of the navigation of the St. Lawrence? Do you remember the nature of the climate, and are you aware that the waters of that river are closed up for four months in every year? In the winter and autumn months the produce of the country would be carried by rail; whereas, in the summer months, when the insurance is low, it would be shipped by the St. Lawrence. Again, Sir, what is your object in repealing those laws with respect to Canada? Is it that you may be enabled to reduce the freight between Montreal and this country by allowing foreign ships to go to Montreal? But you forget that by allowing those foreign ships to go to Montreal, you also enable them to go to New York and elsewhere. Then, with respect to the West Indies, what my right hon. Friend the Member for Stamford said upon that subject has been altogether overlooked. An account arrived a few days ago from the West Indies, expressing the opinion of the Jamaica Chamber of Commerce on this subject. They state that if those laws are repealed, they will be unable to compete with the Cuban and Brazilian planters, and that a fresh stimulus will be given to the slave trade. [The noble Marquess here read an extract of the opinion of the Jamaica Chamber of Commerce, to the general effect that the repeal would benefit Cuba, rather than Jamaica, and that while the Chamber urged upon the Government that the only basis upon which they could hope to compete with Cuba and Brazil was the effectual prevention of the slave trade, they claimed, as the only means of rendering a repeal of the navigation laws beneficial to them, an immediate protection for their produce in the home market.] I now beg leave to call attention to a paragraph in the address of the Legislative Assembly of Canada. They say—

> "It has not unfrequently happened that Canadian importers of sugar have been unable to procure British vessels on any terms at Havannah and other foreign ports."

They did not say from Jamaica or Trinidad, but they complained they could not obtain British vessels on any terms at Havannah to bring slave-grown sugar; and although the House was in an unfortunate position in this respect, he trusted they would not forget that the object of these gentlemen at Montreal was to obtain slave-grown sugar cheaper than free-labour sugar. Another of the objects expected to be gained was a reduction of price. His right hon. Friend had shown that the utmost benefit the consumer could derive would be but the fraction of a penny. But he (the Marquess of Granby) thought there was sufficient evidence in the blue books to show that the consumer would not obtain that fraction of a penny. It was understood that the seller would not obtain the whole advantage of the reduction of freight, and that the consumer would not obtain it, but that the almost imperceptible amount would be divided between the two. There was abundant evidence to show that the rate of freight was not increased by those laws. On the contrary, the merchants, in stead of desiring their repeal, dreaded the repeal of the navigation laws. They thought that those who were more able to send a vessel to India or China, and that those who were able to bring their produce to this country, would find a certain freight in this market—and they entreat the House to leave things as they now are—and they said that it would be for their benefit not thus to interfere with their trade by the introduction of those cheap foreign sugars—they said also, that it would not be for the benefit of the consumers of this country. Then, with regard to the long voyage, the operation of these laws was not only most beneficial to the shipowner in this country, but it was an absolute benefit to the manufacturer, and, therefore, to the consumer, whose prosperity must depend upon the prosperity of the manufacturer. As by the operation of the present law the foreign manufacturer was obliged to come to London to buy the raw material of East India goods to be used in his manufactures, he had to pay *2l.* a ton freight between this country and the foreign country to which he took it; therefore, the English manufacturer actually had the advantage under the present system of paying *2l.* per ton less for every ton of goods imported from India and China. Was not this an advantage? Why did the foreigner come here and pay *2l.* per ton more for every ton of goods? Because he would have no second market to fall back upon if he imported directly. But they were now going to give him that second market; they were going to allow him to import his goods, and send them to the British colonies. Such being the fact, was it not evident that the British manufacturer must be a loser by the amount of *2l.* per ton? Take the case of a merchant at Havre. Suppose him to charter a vessel to the East Indies for 500 tons of tea, or cotton, or any other article. Perhaps he might be able to dispose of the whole quantity at Havre. Suppose the freight from India to this country to be *5l.* per ton, he would be enabled to save by the cheaper vessel 25 per cent, or *1l.* per ton, and that, in addition to the *2l.*, would make his saving *3l.* per ton, which on a cargo of 500 tons would give him a gain of no less than 1,500*l.* Was it, he asked, not clear, that under such circumstances the foreigner would import his own goods directly, and that this country would lose the carrying trade; that the merchants would be affected by the alteration, and that the consumers would suffer by it? There was one word further which he had to say as to reciprocity. The hon. Gentleman the Member for Westbury said, that he objected to reciprocity on the ground that foreign nations had nothing more to give us. That, then, was the ground on which the hon. Gentleman objected to it. He said that foreign nations had given them all they could—that they had nothing more to give; then all that this country would now give to them would be simply a present—that they were to give everything now to the foreigner, and receive nothing in return from him. If that, then, was the hon. Gentleman's opinion—if he thought that this country could receive nothing in return, why did the hon. Gentleman allow his Colleagues to write to foreign Governments? And why did he sanction such a delusion? But great as would be the injustice done to the British merchant and shipowner by the repeal of those laws—great as would be the injustice to the British artisan, yet I agree with my right hon. Friend the Member for Stamford that, compared with the evil effects it would have on the naval superiority of England, the importance of other considerations sinks into insignificance. All other considerations are trifling when compared with that greater and more momentous question. I agree with my right hon. Friend that there is hardly any one who denies the intimate relation that subsists between the prosperity of our mercantile marine and the naval supremacy of this country. No one can deny that, if our mercantile marine should fail, there is an end to our naval supremacy. Those who advocated a repeal of the navigation laws, were, therefore, bound to show that such a change would not be injurious to our mercantile marine. But the repeal of the navigation laws would not only aim a direct blow at our naval superiority, but it would necessitate the introduction of other measures—it would lead to a repeal of the apprenticeship system, and the allowing of foreign ships to be registered in this country. The inconsistency of the Government plan was generally acknowledged. The fact is, the Government are oscillating between their desires to carry out the principles of free trade—between the injustice they are inflicting on British shipowners—and their desire to maintain the naval superiority of this country. The result is, that they have introduced a measure, not only unjust in principle and dangerous to our naval supremacy, but one which, at the same time, shows their want of confidence in the truth of their principles. [The noble Marquess then referred to the evidence of Lieutenant J. H. Brown, given before the Committee on the Navigation Laws, to show that the repeal of those laws would be highly detrimental to the interests of the Navy, and calculated to imperil our maritime supremacy.] Lieutenant Brown states also, that the present system gives great encouragement to a very important class in this country; I mean the shipwrights; and he states, that if any change shall take place calculated to diminish that class of artificers, the consequences may be most disastrous should this country happen to be involved again in war. He says that you should pause before you resolve to adopt any step that may possibly tend to the diminution of the shipwrights of this country. And can you, in defiance of such testimony, venture, by this sweeping alteration of the navigation laws, to hazard the employment of those men in the private dockyards of this country? Sir, I hope that whatever may be the conclusion of the House on this question, you will found that conclusion upon the evidence of practical men; that you will found it upon the evidence of men engaged every day in the business of importation and exportation; that you will found it upon the evidence of such men as the naval officers of this country—of men whose patriotism you cannot doubt—of men who have fought and bled for their country, "in order," in the eloquent words of the right hon. Baronet the Member for Ripon, "to preserve intact the soil of the country from the approach of any foreign foe;" and not of a man who had the audacity to state before a Committee of the House of Commons, that for his part he did not care if the whole of this country were carried in foreign ships. If that is the opinion of the right hon. Gentleman who brings forward this measure—though, Sir, he has said that he would rather cut off his right hand than cripple the naval powers of this country, and expressed also his conviction that that naval power depended on the maintenance of a mercantile navy—I own I dread this introduction of foreign ships into the colonies, and harbours, and ports of this country. It puts me in mind of the introduction of the wooden horse of old into the city of Troy.

> "Cùm fatalis equus saltu super ardua venit
> Pergama, et armatum peditem gravis attulit
> alvo."

Oh! (said the noble Marquess, in conclusion), that I had the power to dispel the delusions with which we are now assailed! Oh that I had the power to stir up that patriotism and that love of country which should animate every breast! for if I had such power, I should have no fear as to the result; for, despite of the confidence now entertained by Her Majesty's Government, and despite those inconsiderate communications, and, I may say, the unconstitutional communications made by them to foreign Governments—despite all those advantages, still I think I should see the gallant vessel that is now struggling with the storm sail triumphantly above the waves that threatened to overwhelm her. Sir, I have no fear for the result of this great question. Despite of all disadvantages, if Englishmen are but true to themselves and their country, we shall be able to weather through the storm that impends over us, we shall be able to retain the command over that glorious element which is our natural protector, and which is the connecting link between this country and the countries dependent upon us abroad; and for years to come, notwithstanding the prophecy of Mr. Mackay, the flag of England will float triumphant through every sea.

MR. CARDWELL said, the noble Lord who had just down, and the right hon. Gentleman who moved the rejection of the measure, anticipated with deep alarm the decay of our mercantile marine, and the declension of our maritime power. Though he (Mr. Cardwell) could not share in their gloomy apprehensions, yet the same natural anxiety weighed upon him in approaching a question of this great importance. He also desired to avoid a rash or precipitate measure, and to take every precaution, and to be guided by prudence, in the course on which they were about to enter. But sharing to that extent with them in the spirit in which they approached this question, he could not reconcile their conclusion to his conviction of what was due to the great mercantile interests of this country, of what a sense of justice to our colonies imperatively demanded; and he thought it would not be difficult to show, in some important respects, of what a due regard to the welfare of the shipping interest itself required at the hands of the House of Commons. It was difficult to understand, from the speeches he had heard, the exact position in which the question was supposed to stand by those who desired to reject the Bill, nor was it easy to collect it from the most laborious attention to the evidence taken before the Committee of the House of Lords. Let him ask those Gentlemen what opinion they entertained with respect to that clause which was said to secure to England the long voyage to distant parts of the world? If he looked to the evidence given before the House of Lords, he found witnesses of the first consideration stating that they regarded it as an essential element, one of the fundamental principles of the law; but he did not think it would be right to import into this debate any prejudice against the shipping interest in general by an allegation that they identified themselves with that particular clause, for he found that many of those intelligent men were ready to admit that, as that clause now stood, it could not by possibility be maintained. He asked the friends of the shipping interest, as men of prudence and discernment, if they did not take timely measures with respect to the long-voyage clause, that clause which forbade them to import the produce of distant parts of the world, except in ships of the country from which it came, or of our own country, what would be their condition? They had very high authority for supposing that reciprocity was henceforth to be the order of the day; they were told so by the highest authority on that (the front Opposition) bench; and they heard in language that could not be mistaken, from the Baltic and from America, that more than reciprocity in this matter of navigation we should not be permitted to retain. His right hon. Friend the Member for Stamford had said that Mr. Huskisson wisely and prudently gave up that which he foresaw he was not able to retain. Let them consider the effect which a reciprocity of exclusion would produce upon one of our most important interests. He knew nothing more important than that great interest known by the denomination of the warehouse-system, which had been the growth of comparatively recent years, and was the offspring of a judicious relaxation made in the navigation laws, which had made this country the *entrepôt* between the regions which furnished tropical produce and the great consuming countries of Europe. We exported largely the cotton of North America, the sugar of the tropics, and other articles to the ports of the Baltic. Of cotton alone we sent no less than 200,000 bales a year to the northern ports. The British shipowner shared in the carriage of these goods from America to Liverpool, whilst we had the whole carrying trade of Russia, to which, last year, we sent 93,000 bales, and a large part of the carrying trade of the Baltic. We were told that reciprocity was henceforth to be the order of the day. When our treaty with Russia should have expired—when Prussia put into execution against us those threats which he advised them respectfully not to disregard, what would become of our carrying trade, and of those advantages which now made us the *entrepôt* of the world? We now forbade the products of Africa, Asia, and America, to be imported, except in our own ships or theirs. Russia, when two or three years more should have passed, would likewise say, "The products of Africa, Asia, and America shall not come into the country except in ships of the country where produced, or in Russian ships"—at least she would take care that if we did not relax this prohibition, they should not come in our ships. Then, with regard to the United States. We had now a reciprocity with them—in many important respects a reciprocity not of friendly intercourse, but of jealously-guarded restriction. Did they think it of no importance to observe the effect of this long-carrying clause with regard to America? There was a great trade springing up in a distant part of the world—California; and he was not now referring to the monetary effects of that new trade, but it was plain and palpable that there was a large trade opening in the ports of that part of the American coast, which could not be gainsaid. Was it of no importance to observe the effect of this clause on our trade with the territories of the United States? He was happy to say that he knew gentlemen who were reaping the reward of their enterprise in having sent the teas of China and the sugars of the Philippine Islands to the coast of California, and most successful these adventures had been. But, wait until the American Government had established itself in California; then would come into operation that clause of their navigation laws, the exact counterpart of our own, made to match ours, and no more tropical produce could be carried to the western parts of America in British bottoms. Mr. Huskisson warned us to be careful that we did not so arrange our navigation laws as to raise up some one great country to be a formidable competitor to our maritime power. To what country in the world would England look as likely to prove such a competitor? What country would carry cotton to Russia and Prussia, and sugar to California, if by maintaining our jealous restrictions against their ships we encouraged them reciprocally to exclude ours? On this ground, therefore, he would go into Committee on this Bill. Again, he asked hon. Gentlemen, who were against allowing this Bill to proceed a step further, how they proposed to meet the demands of our colonies? He did not know that he had ever listened with so much astonishment to any statement, as to the grave, deliberate, and measured statement of so wise a person as his right hon. Friend the Member for Stamford, that he considered the case of Canada as good for nothing. Did hon. Gentlemen know what that case was? He would endeavour to illustrate it by an instance within his own knowledge. A most respectable gentleman wrote to him to say that he had received by an Americal vessel from New York a certain quantity of corn; from the papers which accompanied it, and the brands, he perceived that it had grown in Canada; he was above disguise, and stated the truth to the custom-house officer. The answer was, "Then it cannot be admitted. If grown in the United States, it would have been admitted to consumption in the united kingdom." His correspondent prayed him to go to the Treasury, and obtain permission for it to enter. On what ground was he to have refused his compliance with this most reasonable request? [" Hear, hear!" *and a laugh.*] The hon. Gentleman who sneered would be ready enough, if he was discussing corn, with arguments to show that we should protect corn the growth of Her Majesty's subjects against corn the growth of foreigners. Would they tell him on what principle of protection—he was sure it was none of free trade—were they to protect the corn grown by the republicans of the United States against the corn grown by Her Majesty's loyal subjects in Canada? But he was told there was a plan devised by which these difficulties were to be got over, and the principle maintained. They were to nationalise produce—to admit corn as the growth of the United States if it had passed through the United States. There was now a keen competition going on between Canada and the United States. On Lake Erie you were much nearer to the sea by way of the Erie Canal, than by the St. Lawrence. Canada expended large sums of money, and was assisted by the imperial credit in making excellent navigable canals to keep the traffic by the line of the St. Lawrence; notwithstanding the great difference of distance, you could now, if the cost of the sea passage were the same, carry corn from Upper Canada to Liverpool as cheaply by way of the Welland Canal and the St. Lawrence as by way of the Erie Canal and New York. His right hon. Friend the Member for Stamford justly lauded the sagacity of the Americans in enacting drawbacks on the transit trade through their provinces. He wanted to know by what name would he describe the intellectual virtue we should display, if by the provisions of the Legislature we imposed upon the transit through our own possessions a positive discouragement. The

Canadian said, "I am not asking you for protection, I am far from the market. I have a difficult navigation to contend with —but I entreat you, do not discourage your loyal subjects, enable them to compete on equal terms, and they will bring you produce, grown by British subjects, to compete in your market with the produce of the foreigner." Was this reasonable request to be refused? He would ask them to listen to the remonstrance made by the governor of a British colony in the year 1671. "Mighty," said Sir William Berkeley, who was governor of Virginia in 1671—"mighty and destructive have been the obstructions to our trade and navigation by that severe Act of Parliament." This was recently after the passing of the Navigation Act in the time of Charles II. "If," he added, "it were for his Majesty's service, or the good of the subject, we should not repine, whatever were our suffering, but on my soul it is contrary to both." And upon his (Mr. Cardwell's) soul, he believed it was the contrary of both, for what would the British shipowner gain, if, by the want of sagacity here and in Canada, the produce of Canada was to be carried to this country by the route of New York? The Welland Canal would be closed—our investments in improving the means of communication would be lost—the minds of the colonists would be alienated—but we should not have secured the British shipowner the advantage which he thought to enjoy. Then there were anomalies in the present state of the law, which it was quite impossible could be allowed to remain. He would not enter at length into this part of the subject, but would mention one or two particular cases. From some motive of policy, certain alterations had been made in the existing law. There was a small port at the mouth of the Danube, not locally in Austria, or a part of Austria, but which was deemed to be in Austria. Pressed, it might be by that circumstance, Memel was considered a port of Oldenburg, although Memel was not in Oldenburg. How, he would venture to ask, after they had deemed certain places to be ports of Austria and Oldenburg, which geographically were in neither of those countries, would they deal with an application from Holland, under the favoured nation clause, to make some particular port in another country a port of Holland? We had a reciprocity treaty with America. America was extending her power to the southward, and her influence over Mexico. America might, therefore, find it convenient, and might actually say, "it would be useful to us if you would call a port in Mexico a port of the United States." Was it convenient, or was it safe, for the shipping interest of Great Britain to allow such an anomaly as this to remain upon the Statute-book? Clearly not. But then it was said, that if the navigation laws were repealed, we could not safely compete with foreigners; and the noble Marquess who had just sat down had read some evidence from the Lords' Committee upon this question, to show that ships were dearer, wages higher, and the expenses of navigation altogether higher in this country than in America. He (Mr. Cardwell), as became his position, had taken very great pains to possess himself with the contents of the Lords' reports upon this question, and he found among them some statements very contradictory to those of the noble Marquess. He found Mr. Dunbar, chairman of the London Shipowners' Association, a gentleman who, of all others, was most to be quoted as an authority upon the subject, asked whether he had not found it most to his interest to build dear ships than cheap ships. Mr. Dunbar said he had, for the obvious reason—because he expected them to last longer than cheap ships, and to cost less in repairs. Another gentleman of high authority, from Liverpool (Mr. Booker), was asked whether he thought, as to shipbuilding in America, taking into consideration the difference in quality, there was any great difference in the first cost. He replied that there was not. They were told next, by insurance brokers, that the insurance was less upon good ships than bad ones; and merchants of the highest authority showed that cargoes of corn and sugar would not be carried in cheap vessels. He could not venture at that hour to trespass upon the time of the House, by reading the evidence on these subjects; but he would add further, that one gentleman was asked his opinion upon English sailors. His answer was, that he thought them the best in the world. The same gentleman said, that the crews of American vessels were composed of English sailors, to the extent of three-fourths—that the Americans paid more wages—and that after a careful examination of the whole subject, it would be found, as he entirely expected, that the country which possessed the greatest capital, where the rate of interest was lowest, and which had the most energy and enterprise in every branch of trade—the country which had the command of all the markets of the world—was the country which might, upon fair and equal terms, safely and advantageously compete with any other nation. This was a topic which, he knew, it was not always popular to urge. He knew that compliments to the energy, enterprise, and skill of British shipowners, were not always accepted as they were meant—in fact, that it was supposed they were insidiously presented for the purpose of forwarding designs upon their interest. He, however, would be a party to no such delusion as to maintain for a moment that in real, fair, effectual competition, the British shipowner, and the British shipping interests could be defeated. He had prepared some statistics, which he would not read at that late hour, that would show this conclusively; and, indeed, whilst the noble Marquess was speaking, during the time he said it was almost a self-evident proposition that the British shipowner could not compete with foreigners, he held in his hand a statement of the British tonnage that had entered the United States in each year, from 1821 to 1844 inclusive. He would not enter into all the figures, but he found that the British tonnage entered inwards in the ports of the United States was, in 1821, 52,976 tons, and in 1844 no less than 766,747 tons. If it was a self-evident proposition that Great Britain could not compete with America, how would the noble Marquess account for the great increase in British tonnage to that country during those years, of from 52,000 tons to 766,000 tons? Then he found in the next place, that Liverpool, where ships were expensive, advantageously competed with New Brunswick, where ships were as cheap as in any other part of the world. He found, in like manner, that New York, where shipbuilding was expensive, competed with Maine, where it was cheap. Why? Because it was cheaper in the end to pay a good price for the best article, than a low price for one of inferior quality. But great stress appeared to be laid upon the political branch of the question. The noble Marquess and his right hon. Friend the Member for Stamford said, "Never mind the commercial argument, but remember your maritime supremacy." He should certainly agree with them, and with the celebrated expression of Mr. Huskisson, "If your maritime power comes into collision with your commercial interest, your commercial interest must give way." But it was the interest of those engaged in British shipping to come to a fair and equitable settlement of the question, as well as of those who, looking at the subject in a national point of view, urged the importance of our maritime superiority. The legislation of Queen Elizabeth was liberal with regard to navigation, and the glory of England was not tarnished in her reign. The patent of our precedence dated from days anterior to the ordinance of Cromwell. If he thought that our maritime supremacy rested only upon the paper foundation of an Act of Parliament, passed by Charles II., his anticipations of the result would be still more gloomy than those of the noble Marquess. He said, then, that all these considerations, which did not immediately bear upon any particular part of the Bill, conclusively proved the necessity for a settlement of the question. They went farther, for they proved that it was desirable for the mercantile interests, just towards our own colonies, and important for the welfare of those whose property was invested in British shipping, that the question should be finally determined. The House might rest assured of this, that if they delayed a settlement of the question, if they held suspended over those whose property was embarked in shipping, the threat of impending change without making it, they would prevent the application of capital, and the employment of industry. They would thus be sapping the foundations of the British shipping interest; for, let it be observed, that if the demand for shipping in the world was not supplied by the application of British capital, British enterprise, and British labour, foreigners would take advantage of the void we were creating, and a stimulus be given to foreign capital and foreign industry. Upon every ground, therefore, it was essential to arrive at some equitable settlement of the question. There were anomalies in the existing law which it was impossible to defend. It was not the object of those who supported the present Motion to attempt to defend them; but, on the contrary, frankly to express their desire to see them removed. The law, however, being as it was, it was the duty of Parliament to deal with it immediately, and to deal with it effectually—not rashly, not precipitately, but effectively, so as to arrive at a right settlement. The hon. Gentleman the Member for Westbury had entered, at length, into general arguments upon the question, into which, had there been time, he (Mr. Cardwell) might have been disposed to follow him; but he thought it was the most correct course, at this preliminary stage, to confine their attention to the simple question whether they would reject all progress in the matter. That was the proposal of his right hon. Friend the Member for Stamford, and it was to that proposal that he (Mr. Cardwell) ventured to oppose himself. Should they reject all progress, or should they go into Committee for the purpose of obtaining, as he hoped would be obtained, a fair hearing for all reasonable objections to the Bill—a fair consideration for every interest which its particular clauses might affect—a fair discussion of every improvement which the wisdom of either side the House might be able to suggest? Let the Bill go into Committee, and eventually they would arrive, he hoped with something like general concurrence, at a final, conclusive, and, at the same time, at a safe and satisfactory settlement of this most difficult and most important question.

Mr. HENLEY: Sir, the hon. Gentleman who has just sat down said that as the navigation laws existed there were certain anomalies, and having declared this, what course did he propose? Why, he said if they removed these anomalies, he would vote for this Bill. Now the very principle on which he proceeded was, not to remove these anomalies, but to sweep away these laws altogether. The hon. Gentleman, not respecting the petitions of large constituencies, told the House of Commons to remove certain anomalies, the very object of the Bill being to sweep away the existing law altogether. That was a policy which he could not understand. But what was the next argument of the hon. Gentleman? He said that there was a great agitation raised on this subject, and that, consequently, capital did not flow into the general channels for which it was wanted; and, therefore, he supposed because there was an agitation on the question, he was to understand that there was no remedy for it but by sweeping the whole law away. No matter whether it were for good or for evil, only begin an agitation, and there would be no chance of relief but by sweeping away the law altogether. The next point referred to by the hon. Gentleman was the American trade; and he had laid down this principle with regard to it, that we were not afraid of competition, and that when the rate of interest was low we could always compete. And the hon. Gentleman had endeavoured to illustrate his argument by referring to what had taken place in America, as showing that we should always have a commercial intercourse, and that, because she had not the capital to fill up the gap, we had got a fair share of the trade between the two countries; and he then jumped to the conclusion that we should be enabled, under all circumstances, to secure the greatest part of the trade of the world. Then the hon. Gentleman touched another point, which he handled in an extraordinary manner—namely, the mercantile part of the matter; and he said, in a solemn voice—"I recommend you to take care to look at this question! See what an important interest the warehousing interest is! I advise you to be cautious, or else you will lose it!" And how did the hon. Gentleman illustrate his argument? Why, by meddling with the long trade! He said that American ships could carry cotton to Russia and Prussia! And he (Mr. Henley) would ask what was to hinder them from doing so now? [*Laughter.*] Did hon. Gentleman who laughed suppose he was not aware that American ships could not carry cotton from this country? But as to the warehousing interest, had it not grown up because this country was the greatest emporium of the world? The long trade helped the warehousing interest. Then the hon. Gentleman went into the question of Canada. He quite agreed with him that there was a great difference of opinion in the minds of the people of Canada. They might raise the question whether this or that opinion was the most entitled to weight; but with such questions of policy, he thought it was not unbecoming any Member of the Government, in bringing forward the opinions of legislative bodies, not to overlook the opinions expressed by the legislature of Nova Scotia. He supposed that the petitions did not all run in one way. The petitions from Nova Scotia and New Brunswick all deprecated the contemplated change in the navigation laws. But as to the Canada question, what did it rest upon? Why, he contended that if they did not relax the law, Canada would lose her transit trade from the western parts of the States. But the Canadians required that to enable them to get the trade under present circumstances, the freight from Quebec must be reduced 50 per cent to this country. Now was it meant that this should be the effect of the law—to reduce freight 50 per cent? No one could contend for this, because it cut two ways. If freights were reduced 50 per cent, they must show how the English shipowner was to take his freight. But how did the hon. Member for Liverpool illustrate the subject? He said—See the hardship in this case, a gentleman, a friend of mine, ships a cargo of flour in an American ship from Canada to New York, and it could not be landed here as colonial flour, because it was imported in an American bottom. Now, it was not denied that individual cases of hardship would arise. But the question was, how they were to take the balance. Were they to remove a limited inconvenience to run the risk of an incalculably greater degree of injury to the country? The national part of the question had been given the go-by by the hon. Gentleman. The hon. Gentleman the Member for Westbury gave 1841 as the commencement of free trade! [Mr. J. WILSON dissented.] The hon. Gentleman shook his head—he would say there was a great relaxation of the tariff. The hon. Gentleman used the argument throughout, that, in considering free trade, they must remember there had been an increase of shipping; but he said that the British shipowners, in 1841, had ruined themselves by building too many ships; but when the hon. Gentleman came to the national part of the question he cut the throat of his argument, because having demonstrated that the English shipowner had been so imprudent as to multiply ships to his own undoing, yet there had been an increase of shipping under the free-trade system. Now, his surprise was turned into great wonder at the speech of the hon. Member for Westbury, in which he had altogether thrown overboard the question of reciprocity. He (Mr. Henley) was not going to say whether reciprocity was good or bad; but a large portion of the hon. Member's speech was occupied on the subject of reciprocity, to show it was a very bad thing; whilst another portion was occupied in stating to the House, that, with reference to all those different States with which we had been in correspondence, they had given us all they could. If that were true, and if the hon. Gentleman fairly spoke the mind of the Government, he should like to know whether they were to legislate a lie? He knew no definition of a deceit, but a practical lie. Now, here was a foreign correspondence carried on—for what purpose? Why, a foreign State enters into a correspondence—for what? The hon. Member for Westbury said this correspondence was of no use—that these States had given everything they had to give! Was this correspondence, then, intended to throw dust into the eyes of the people? With regard to shipbuilding, there could be no doubt, if the Government plan was carried into effect, that the price of ships must be equalised all over the world; but whether it would put the English shipbuilders out of work was entirely a separate question. The English ship must not cost more than any other; and, if so, the English shipwright must have less wages. He could not forget the extraordinary statement made by the right hon. Gentleman the President of the Board of Trade, who had a most convenient way of dealing with these subjects, and who had expressed two diametrically opposite opinions on the subject of shipwrights' wages and earnings. Last year the right hon. Gentleman said it was quite a mistake to suppose that shipwrights' labour was dearer in this country than abroad—that, in point of fact, the work was so much better that, although the wages were nominally higher, it was cheaper in the end. This year the right hon. Gentleman gave a different version of his views. He said it was very true the wages at New York and Blackwall were the same; but the New York man did more work, giving all his time to his employer. In quoting the evidence of Mr. Wigram, the right hon. Gentleman of course adopted it; but he (Mr. Henley) could not understand how he could reconcile these two views. The question now before the House altogether rested upon grounds which had been very little touched upon by either the hon. Member for Westbury or the hon. Member for Liverpool. It did not rest with the opponents of the measure to prove that English ships could compete with foreigners. This country for 200 years had gone on prosperously, its commercial marine increasing, and keeping pace with the vast extent of the commerce of the country. That being so, and this order of things having at all times, and under all circumstances, furnished the ships of the Queen with a full and efficient supply of men in time of need, it rested with hon. Gentlemen opposite to show, first and foremost, what benefits would be derived from the measure; and, secondly, they ought to be able to show quite clearly—almost to demonstration, that the British commercial marine can compete successfully in the trial to which it was about to be exposed. They had hitherto shrunk from that point. They had evaded the question; but it rested with them to prove the fact. But in what condition would they place the country if the experiment should not prove successful? Those questions had been dealt too lightly with; and the proposal for altering the law rested not upon evidence, but only upon assertions. He believed that there were not many Gentlemen who thought with the hon. Member for Stoke (Mr. Ricardo) that the commercial marine was not necessary to provide for our national defences. They had not attempted to show that this branch of trade could compete, as it had hitherto done, with all the nations of the world; and they had not attempted to show that if they failed, and that if capital should be diverted into other channels, how it was to spring up again after the establishment of a more lucrative trade in the hands of foreigners. But if the plan should fail, would not our naval supremacy, which rested upon the maintenance of our commercial marine, be at once at an end? In times of peace, when only some 30,000 or 40,000 men were required, they might do without the commercial marine; but if any sudden emergency should arise, and 100,000 seamen be required, where were they to be obtained? There was one point which had not yet been touched upon by any hon. Gentleman, and it was one to which he wished to direct the attention of the right hon. Gentleman the President of the Board of Control, with the view of obtaining the views of the Government on the subject previous to the division. Allusion had been made to the state of the merchant seamen of the country, and especially to the condition of the masters and mates; and it had been said that in order to enable us to go into a fair competition with all nations, the masters and mates must be taken from a better educated and improved class. Now, he wished to ask the Government what they intended to do upon the subject of impressment? It was one which they could not evade. Now, if they were to have a class of superior men, they must have some assurance that they would not be taken on board a man of war, and placed before the mast. Whilst they were masters, they certainly could not be taken, but they might be when changing from one ship to another; and he knew of instances in which mates had been pressed and placed on board a man of war, and kept there for seven years. The question of how they were to be dealt with for the future, was one which must be answered. There was another question, also, on which some information must be given. It had been asked, "Why cannot you compete when put upon an entire equality?" But by this measure they did not put the owner of a British ship—the capitalist, upon an equality with the foreigner. That was a matter of which they had a right to complain. Although relieved from the condition of apprentices, they were not relieved from the condition of manning. The American captain said, "I can get English sailors at 10*s.* or 15*s.* per month less than Americans?" And why? Because he was not obliged to take them unless he liked. But did any one suppose that English sailors would not raise their wages when they knew that the English captain could not ship any one else? Another point was this. They only proposed to give a limited opening to the coasting trade. The great argument used in favour of the measure was, that it was for the benefit of the consumer. If so, how did they justify the imposition of 25 per cent more than they ought to pay upon the citizens of London, by not throwing open the coasting trade for coals? That was an article of which freight formed a large portion of the cost; and he wished to ask the free-trade Gentlemen who were so anxious to promote the interest of the consumer and shipowner, how they justified their shutting up that portion of the coasting trade? If it would benefit a man to save him a farthing upon sugar, surely it would be a benefit to save him 2*s.* on coals; for supposing the freight to be 8*s.*, a reduction of 25 per cent would effect that saving. He wished to know how they could justify the imposition of a tax on the people of London of 2*s.* per ton, when, according to their own argument, they would benefit the consumer and the shipping interest by opening the coasting trade? That had been passed over very lightly, but he wanted to hear it answered fully. Why should not the Baltic ships—obliged to lie up in winter, as ours used to do—come here and compete with our ships for the coal and coasting trade? If Government were consistent in their principles, they must carry them further. He believed they were not sure of their principles; they were only trying them experimentally, and therefore they were afraid to carry them further. He asked what right had Government to impose on the farmer of Lincolnshire an additional charge for conveying his corn to market? But if, for the sake of the cuckoo cry of free trade in one thing, and free trade in another, Government followed in their present course, he would ask, was this a good time to try such a dangerous and doubtful experiment? What was our state at this moment, and what had brought us to that state? Had the trading interest gone on so well up to this time that you could venture to take a liberty with another interest? It was a very convenient mode to call 1842 the era of free trade; it was a convenient mode, but it was not a true mode. Duties were then still in existence; they were still on cotton and other articles. The hon. Member for Westbury had said, that they were bound to make this alteration because there had not been a sufficient increase in shipping to meet the increase of commerce caused by free trade. That he (Mr. Henley) denied; and, moreover, he would show them that a great portion of the increase which had taken place during the last few years had occurred under a system of protection, and was not consequent on the adoption of the principles of free trade. What, then, were the Government about to do? To say the least, in a time of transition, when everything had been cheapened by a new system, at the very commencement of this system, no matter from what cause, it was evident we had not multiplied our transactions, though we had lessened our prices. While the system was in an imperfect state, and when they could not allege that any impediment had been offered by want of sufficient shipping, was it wise to attack an interest with a large capital embarked in it, and having the important question of our naval superiority involved in it, when there existed no real necessity for taking such a step? If the country were polled, every man, he was sure, would cheerfully pay the hardly appreciable advance in prices, rather than run the tremendous risk of a failure in this experiment. No one had attempted to deny that obstruction was here, and inconvenience there; but when you came to balance the possible risk with the possible gain, he was quite sure no one would be disposed to run that risk which he, for one, feared must take place if the present measure were carried.

MR. GLADSTONE moved the adjournment of the debate.

LORD J. RUSSELL said, he had no objection to the adjournment, provided it was understood distinctly that the debate would be resumed on Monday, that the House would then come to a division, and that no further adjournment on that day would take place.

MR. KER was most anxious to say a few words in explanation of the vote he intended to give. He thought that Irish Members had a right to speak on navigation subjects, and he was of opinion, from the manner in which this and other measures had been introduced by Her Majesty's Ministers, that much credit could not be given to them for deep thinking and judgment.

Debate adjourned to Monday.

The House adjourned at a quarter after Twelve, till Monday.

HOUSE OF LORDS,

Monday, March 12, 1849.

MINUTES. PUBLIC BILLS.—2ª Distraining for Rates. 3ª Larceny Acts Amendment.

PETITIONS PRESENTED. From James Hamerton, Barrister-at-Law, for Abolition of the Punishment of Death.—From Magistrates, and Others, of Peterhead and Cardigan, against the Repeal of the Navigation Laws.—From Shipowners, and Others, of Peterhead, against any Bill for vesting the Management of the Merchant Seamen's Fund in any Corporation, or in Individuals residing in London.—From Commissioners and Wardmasters of the City of Cape Town, Cape of Good Hope, against the Introduction of Offenders into that Colony or its Dependencies.—From Belfast, and several other Places in Ireland, against the Rate-in-Aid Bill.—From Grand Jurors of the County of Limerick for Inquiry into the whole Condition of Ireland, and into the Working of the Recent Poor Law Extension Act.

CASE OF MR. COTTER.

LORD BEAUMONT said, he had given notice of his intention of putting a question to the noble Lord respecting the conduct of the Spanish Government towards a British subject named Cotter. In order to make the question clear, however, it was necessary he should narrate the history of the events connected with this case. It appeared that so far back as in September last Mr. Cotter was arrested in his house in Madrid; that he was taken out of his bed, and carried away, and put into a public prison. He was confined in a solitary dungeon for twenty-nine days; he had no opportunity to communicate with his friends during that period; he was never informed of the nature of the offence with which he was charged, nor whether or when he would be brought to trial. At the end of the twenty-nine days Mr. Cotter was removed to the infirmary of the prison, and while there he wrote a letter to the Captain General of Madrid to know the grounds upon which he had been arrested. To this letter he did not receive any answer. He then wrote to Narvaez himself, and he then made the same request to know of what he had been accused, and when he was to be brought to trial. He got no direct reply to these letters; and he then appealed to the British Consul for protection. It was afterwards intimated to Mr. Cotter officially that he was about to be removed to Cadiz. Consequently he had reason to think his treatment would have been the same as that which was experienced by Colonel

Bristow, who was escorted to the frontier, and then allowed his passport and to leave the country. Some days after Mr. Cotter had been in the infirmary he was sent back to the prison, and at the end of one day he was taken away under an escort in a post-chaise, and conducted to Cadiz, where, instead of receiving his passports as he had expected, he was again thrown into prison, and there he remained till some time in January. During this time he again protested against his detention, and he claimed the protection of England, as an English subject; but the only reply he received from the Spanish authorities was, that they did not care what the British Consul said. A short time after this answer was received, he was placed on board a ship bound to the Manillas, and information was then given him that he was about to be transported there; he again protested against this, but in vain. These were simply the circumstances as they had been narrated to him; they had been made public in Spain, and he believed also in this country. Now, certain parties, taking these published statements as correct, chose to indulge in sounds of triumph at the manner in which the Spanish Government had dared to beard the English Government in the matter. No doubt the explanations and statements which Her Majesty's Government would be prepared to make would be an answer to this. No doubt if Mr. Cotter were a British subject, full demand for reparation would be made, and if not accorded, would be enforced. As far as the question of Mr. Cotter being a British subject, owing allegiance to Her Majesty, was concerned, he believed Mr. Cotter was entitled to protection. The Spanish Government appeared to entertain the opinion that he was a British and not a Spanish officer, for the treatment Mr. Cotter had met with, was different from that which the Spanish officers arrested at the same time were subjected to, and instead of being sent to a military prison, he was sent to a common gaol where felons were kept. If, however, it should turn out that Mr. Cotter was not a British subject, it might then be very fairly maintained that the affair was not one which interested the British Government, but an affair which referred to the Spanish Government only. He could not, however, help remarking on the present occasion, that Spain, who was so jealous of foreign interference in her internal affairs—who had sent away the Minister of a friendly Power for no other reason than that the Minister spoke to a person connected with the Opposition—was at that moment bent on interfering in a country with which she had no connexion, and preparing to light up the horrors of civil war in Central Italy, without being able to maintain peace in her own territories, or pay the debts she owed to foreign lenders. He was induced to make these remarks because in all the approved organs of the Spanish Government, the declaration had been put forward that the Spanish Government would admit of no interference in the affairs of their country; and the present case was quoted as an instance of their independence and contempt of foreign Powers, even when the subjects of foreign Powers claimed the protection of their respective flags? He hoped, therefore, Government would give such an explanation as would do away with the false impression which had gone forth as to the facts of the case. He would conclude, therefore, by asking if Government had taken any steps to ascertain if Mr. Cotter was a British subject, or professed to be so; and, if so, whether any means had been taken by this Government to demand satisfaction for the injury which had been done to him?

Lord EDDISBURY said, that the first information which the Government had received on the subject was a communication, dated Cadiz, from the British Consul, Mr. Brackenbury, stating that a gentleman, of the name of Cotter, had been arrested and sentenced to transportation. An inquiry had been directed into the matter, and it appeared that this gentleman, Mr. Cotter, had been arrested in March, 1848, on a charge of being implicated in a conspiracy, but that he was afterwards released. Subsequently another conspiracy took place, for the purpose of overthrowing the Spanish Government, and also for the purpose of assassinating General Narvaez. Mr. Cotter was supposed to be involved in this conspiracy, and he was again arrested. He (Lord Eddisbury) should mention that on neither of these occasions did Mr. Cotter claim protection as a British subject. The first the Government heard about the matter was in January, 1849. The defence which the Spanish Government made was this, that Mr. Cotter was considered to be a Spanish subject; that he served originally in the British Legion; afterwards as a captain in the regular Spanish army; then as an aide-de-camp on the staff of General Concha; and, lastly, as a comptroller of the customs at one of the Spanish ports. The British Government felt that they could have no pretext to interfere unless this gentleman had been dealt with more severely than any Spanish subject would have been dealt with under similar circumstances. In the present case, they felt that they could not interfere, and he could only express his regret that any British subject should have at all involved himself in such transactions.

Lord BEAUMONT said that the explanation of his noble Friend was satisfactory.

Lord BROUGHAM said, it should be known that, whether Mr. Cotter was a British subject or not, if he was living in Spain, and committed an offence against the municipal law of that country, he would certainly be amenable to it.

THE CONVICT MITCHEL.

The Earl of WALDEGRAVE asked whether it was true that the convict Mitchel had been invited to the table of the commander of Her Majesty's ship *Scourge*, on his passage out to Bermuda?

The Marquess of LANSDOWNE said, he had no objection to produce the instructions issued to the captain of the *Scourge*, as to the treatment of the convict Mitchel on his passage to Bermuda. At the same time, it was but fair to state that the instructions did not reach the captain of the *Scourge* in time; and he had, therefore, to use his own discretion to a certain extent. It should also be stated that he had received an intimation from a Member of the Irish Government that, in consequence of Mitchel's state of health, he was to be treated with such indulgence as might be necessary.

The Earl of WALDEGRAVE then moved for an Address to Her Majesty for a copy of the instructions issued by the Lords Commissioners of the Admiralty to Commander Wingrove, of Her Majesty's ship *Scourge*, in May or June, 1848, upon the conduct he was to observe in the custody of the convict Mitchel, sent in that sloop from Cork, for a passage to Bermuda.

Agreed to.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, March 12, 1849.

Minutes.] Public Bills.—1° Passengers.
2° Navigation.
3° Spirits (Ireland).

Petitions Presented. By Mr. Deedes, from several Inhabitants of the Town of Sittingborne, Kent, respecting the South Eastern Railway Company.—By Mr. Urquhart, from the Village of Ballydehob, in the County of Cork, for the Establishment of Local Legislatures (Ireland).—From Members of the Baptist Church of Dunfermline, in favour of the Affirmation Bill.—By Mr. Plumptre, from the Parish of Birchington, in the County of Kent, against the Marriages Bill.—By Mr. Moody, from the Inhabitants of Ston Easton, Somerset, against any Endowment of the Roman Catholic Clergy.—By Lord C. Manners, from the Waltham Agricultural Society, for the Imposition of Duty on Corn and Cattle.—By Mr. G. Cavendish, from Farmers, and Others, of Scarsdale, North Derbyshire, for a Repeal of the Malt Tax.—By Sir W. Somerville, from St. Peter's Parish, Drogheda, for the Abolition of Ministers' Money (Ireland).—By Mr. West, from the Shrewsbury and Chester Railway Company, respecting the Taxation on Railways.—By Mr. Lushington, from James Dowie, of No. 453, Strand, respecting his Invention in Boots, and praying for an Inquiry.—By Lord Lewisham, from Bilston, Staffordshire, for an Alteration of the Law respecting Copyholds.—By Mr. George Hamilton, from Members of the Presbyterian Church in Ireland, for an Alteration of the Law respecting Education (Ireland).—By Mr. Sharman Crawford, from Rochdale, in favour of Secular Education.—By Mr. Cardwell, from Master Blockmakers, and Others, of the Port of Liverpool, and by other Hon. Members, from several Places, against the Navigation Bill.—From Messrs. Spottiswoode and Robertson, of Great George Street, Westminster, for the Production of Certain Documents connected with the Glasgow and Dundee Junction Railway (1846).—By Mr. Robert Tennent, from several Out-Pensioners of the Chelsea Hospital, complaining of the Deductions from their Half Pay.—By Mr. Pole Carew, from the Guardians of the St. Germans Union, Cornwall, respecting the Rating of Personal Property.—By Sir Robert Ferguson, from the Guardians of the Castlederg Union, against the proposed Rate in Aid (Ireland).—By Mr. Burroughes, from Yarmouth, for the Suppression of Promiscuous Intercourse.—By Mr. H. Baillie, from the Presbytery of Lochcarron, in the Counties of Ross and Inverness, against the Registering Births, &c. Bill; also against the Marriage (Scotland) Bill.—By Mr. R. Palmer, from the Guardians of the Bradfield Union, for an Alteration of the Sale of Beer Act.—By Sir Edward Buxton, from Woodbridge (Suffolk), and from several other Places, for the Suppression of the Slave Trade.—By Mr. Grenville Berkeley, from Charfield, and its Vicinity, and from several other Places, for Referring War Disputes to Arbitration.

LOUGH CORRIB IMPROVEMENT COMPANY BILL.

Mr. DIVETT moved the Second Reading of the Lough Corrib Improvement Company Incorporation and Amendment of certain Public Acts Bill.

Motion made, and Question put, "That the Bill be now read a Second Time."

Mr. O'FLAHERTY opposed the Motion, upon the ground that the improvements were now, and had been for some time past, in the hands of the Board of Works in Ireland, who had expended a considerable sum of money upon the undertaking. The millowners in the immediate neighbourhood had sent several petitions to the House, in which they repudiated the company, stating they had never placed any confidence in it, and praying the House to empower the Board of Works to complete the improvements. In fact, the company had not executed any part of the plans, with the exception of an embankment, which had twice given way; but they had incurred a large outlay in legal proceedings, which, it was very much to be apprehended, would not bear any very rigid scrutiny.

Mr. DIVETT explained that his sole object in moving the second reading was to send the whole subject before a Committee of the House, to inquire and report. He had great confidence in the decision of a Committee, but he confessed that he had not any either in the Board of Works, or the hon. Member for Galway, who, according to information received, had agreed to take shares in the company, and afterwards declined to pay up. The company had expended 15,000*l.* in the execution of the works, and they were to lay out 24,000*l.* in addition. Justice, therefore, would not be done to them, unless they were permitted to go before a Committee, and state the whole of their case.

Mr. O'FLAHERTY said, he had been induced to become an original shareholder by reason of his having seen the names of several respectable gentlemen at the head of the list of directors; but these gentlemen had afterwards repudiated the introduction of their names. [*Cries of* "Who are they?"] The late Mr. Lynch, the master in Chancery was one; and Mr. Joyce, who put them into the Court of Chancery, and dismissed their own bill, was another. This was the history of his (Mr. Flaherty's) shareholdership.

Mr. J. PARKER thought that, as the Board of Works had been making considerable progress with the improvements, the second reading of the Bill ought to be postponed.

Mr. B. DENISON thought the application of the promoters of the Bill perfectly reasonable, particularly after they had already spent 15,000*l.*, and were ready to go on with the works.

Mr. AGLIONBY supported the Bill. He had gone through the papers which had been placed in his hands, and had endeavoured to make himself master, as far as any gentleman could, of an Irishman's actions, and, having done so, he had come to the conclusion that there never had been a case of more overbearing mismanagement on the part of the opponents of the company—on the part of the Government officers, the Board of Works. He said that at least 16,000*l.* had been subscribed in England to carry out the undertaking in question, and that not a single farthing of the sum necessary had been obtained from Ireland. The Marquess of Clanricarde was most anxious, so far as his property was concerned, that the work should be executed by the company; and he agreed with the hon. Mover, that great injustice would be done the several parties if inquiry were refused.

The CHANCELLOR of the EXCHEQUER observed that his hon. Friend the Member for Exeter had not gone to the bottom of the case. The question was, whether the Bill should be permitted to pass, in order to further progress being made by the Board of Works. The company had been formed in 1838, and for seven or eight years they had not done anything, with the exception of erecting a breakwater, which was very speedily washed away. The Board of Works then commenced the improvements, and went deliberately on with them for two or three years, when, all of a sudden, the company, which he might designate a sort of resurrection company, came forward and wanted to do the very work which the Board had already executed. He admitted that the English shareholders had some reason to complain, and that they were damaged by having got into a bad concern; but whatever had been the result, it was a monstrous thing now to attempt to stop the improvements altogether.

The House divided:—Ayes 36; Noes 55: Majority 19.

Bill to be read 2° on this day six months.

NAVIGATION BILL—ADJOURNED DEBATE.

The Adjourned Debate on the Second Reading of the Navigation Bill was then resumed by

Mr. GLADSTONE, who said: Mr. Speaker—Sir, I can have no hesitation with respect to the vote which I feel it to be my duty to give on this question. Being convinced that the time has arrived when Parliament ought definitively to consider the question of the navigation laws—being prepared to assent to a great change in those laws, and, indeed, being eager that such change should be made—I cannot refuse or hesitate to vote for the second reading of a Bill which offers me an opportunity, and the only opportunity likely to be presented, of inducing the House to agree to such a change. With regard to the justification of that change, generally, I should be content to rest it either upon the statements of the friends of the existing law, or upon those of its opponents. If we take the statements of the friends of the existing law, we find that they partake so much of the language of exaggeration—that they are in such diametrical opposition to facts on so many important particulars—that out of their own mouths I do not think it would be difficult to show that a great change ought to take place in this branch of our legislation. If, for instance, I refer to the evidence of Mr. Richmond, given before a Committee of the House of Lords—a gentleman who was deputed, in 1847, to represent the shipping interest of an important port before a Committee of the House, and who was again deputed in 1848 to represent the same interest before a Committee of the House of Lords—if I refer to that evidence, I think that the statements of Mr. Richmond himself would lead any impartial man to the conclusion that these laws ought to be changed. For what is the representation made by Mr. Richmond? He says, in so many words, that for many years past—some twenty or thirty, I think—fully one-half of the capital embarked in the shipping trade of this country has been lost, and that of the other part a very large portion has yielded no remuneration, and but a very few individuals, *rari nantes*, had here and there been fortunate enough to save themselves from the universal ruin. Therefore, according to his statements—and his experience is extensive—only a small fraction has been successful, whilst the greater number have been only sufficiently fortunate to save themselves from universal ruin. Using a homely expression to describe what he considers to be the state of things, he says—"It is true that many have entered upon this trade; but it is also true that a great many have waddled out of it like a lame duck at the Stock Exchange." But if it is true that this trade is so destructive to the immense majority of those engaged in it, on what plea, I ask, can it be contended that we should continue to expose them to such hardships, and at the same time impose a great tax upon the community in order that they may so expose themselves? But without referring to matters of opinion—without going into particulars of the cost and charges in the navigation of ships—I will observe that whenever in any past period it has been attempted to introduce any relaxation in our commercial code, Englishmen, engaged in whatever trade, have appealed to the standard of living and the cost of the necessaries of life in this country, and have contended that the wages of labour have been higher than those of the countries with whom they have had to compete. On this subject I think the figures given by Mr. Richmond are conclusive in favour of the relaxations now sought to be introduced into the navigation laws. It is not my intention to urge upon the House that they ought to be guided in their decision of this question by the pure and unmixed doctrines of political economy. I am willing to admit—I am forward to admit—that they must come to their decision upon other grounds. The first of these grounds is one which the British Legislature is forward to recognise—namely, the equitable consideration of the interests of classes whose trade is fostered under the existing system. The second ground involves the still more important question of our national defences. Now, if I could believe that any change in the navigation laws would bring about a diminution, still more an extinction, of our mercantile marine, I should not stand here for the purpose of recommending that change. But, Sir, let us appeal to experience, and, if possible, cast aside abstract reasoning in considering this question. Nearly thirty-five years have elapsed since we commenced a system of relaxation in these navigation laws; twenty-four years have elapsed since those relaxations became numerous, frequent, and extensive. Now, let us compare the state of British shipping with that of foreign countries before this epoch and since. In making that comparison, I am content to take the figures with which Mr. Richmond has supplied us. In the third report of the Lords' Committee is given us a table showing each progressive decrease or increase in shipping belonging to the United Kingdom and the colonies, as compared with the shipping of the United States. Now, let us compare the amount of British shipping during the period of restriction, with what it has been since these relaxations were introduced. I think no one can dispute the fairness of that comparison. If there is any unfairness, it tells against the existing navigation laws, because since we began to release them by treaties of reciprocity, a practice has prevailed of deducting the gross total of shipping tonnage, showing the progress of the increase of tonnage before the period of the relaxations to which they referred. In the 34 years from 1791 to 1824, when we framed our first reciprocity treaty with the Baltic Powers, we added 1,048,000 tons to our shipping, or at the rate of 30,800 tons a year. In the 24 years from 1824 to 1847, we added to our tonnage, 1,393,000 tons, or at the rate of 58,000 tons a year. But it may be said, and said very truly, that a considerable portion of this increase is due to the colonial shipping, and that the rapidity with which the colonial shipping had increased was not a fair test of the increase of the shipping of the United Kingdom. This is perfectly true, because we know very well that the increase in colonial shipping, and the pressure of competition upon British shipping, had been such that only a few years ago a proposal was made by the friends of the British shipping interests, at the instance, I believe, of the Shipowners' Society, to lay a difference upon colonial shipping, for the purpose of checking its too rapid increase. But speaking of the shipping of the United Kingdom only, it still remains true that it has been advancing since the relaxation of the navigation laws, and that at an accelerated rate. From 1791 to 1824 (the first of the two periods I have taken) it increased —speaking of the shipping of the United Kingdom, exclusively—it increased by 933,000 tons, or at the rate of 27,000 tons a year. From 1824 to 1847 (the second of the two periods), in these 24 years the increase was 960,000 tons, or 40,000 tons a year, as against 27,000 tons a year, during the existence of restriction. Now, I don't know what fair and sufficient answer can be made to these figures. Then, it is said, and this is almost the only plea that can be made, that our shipping has not increased so rapidly as that of the United States of America; and I grant it, if you take along with the foreign shipping of the United States its coasting and inland water trades. But then I say that this is a comparison palpably unfair, because, in a new country like that, occupying vast tracts of virgin soil, with no artificial communication, we find they have employed the great natural highways by their lakes and rivers under circumstances that present no parallel to the case of this country. And if you dwell on the fact that its shipping has increased more rapidly than ours has since the relaxation of the navigation laws, we must also take into account that, before that relaxation, the shipping of the United States was increasing far more rapidly than ours. But if you wish to make a fair comparison with the United States, and to test British energies and enterprise by an appeal to that standard, I appeal to the increase in British colonial shipping; and I say it is fair to compare the increase in the British American colonies with the increase in the United States. Between 1790 and 1847, in the whole of that period the shipping of the British colonies increased from 96,000 tons to 644,000 tons, or 667 per cent; whilst the shipping of the United States increased from 502,000 to 2,839,000 tons, or 565 per cent. So that, vast as was the increase of the shipping of America, the shipping of the colonies of this country increased with a rapidity still more astonishing. But, perhaps, it will be said, "This was under the time of restriction." Then, I will finally compare—for these will be the last figures with which I shall trouble the House—the increase of British colonial shipping before 1824, when we were comparatively under a system of restriction, and since 1824, when that system had been relaxed. In the 34 years from 1790 to 1824, the British colonial shipping, according to Mr. Richmond's tables, increased from 96,000 to 211,000 tons, or at the rate of 3,300 per annum. In the twenty-four years since, down to 1847, while we had the laws relaxed, and competition was increasing, British colonial shipping advanced from 211,000 to 644,000 tons, or (instead of at the rate of 3,300 a year in the former period) at the rate of 18,000 tons a year. So far, therefore, Sir, I say, disregarding, if you choose to disregard, all arguments of a purely scientific or abstract character, and relying only upon the results of that experience which has now been by no means brief or narrow in its scope—seeing that we have already had the changes introduced by Mr. Huskisson, and followed by those that have succeeded them—I say, the results of that experience have been such as conclusively to prove that we ought to go forward, and go forward with increased confidence and courage, in the path in which our predecessors have been moving. Sir, I shall not dwell upon the argument (admitted, I think, on all hands), that if the question of the navigation laws is to be dealt with at all by Parliament, it ought to be done at this moment, rather than at any future period. We never can again give so vast a stimulus to the import trade as was recently given by the great and fundamental alterations that took place in our customs laws. With respect to the most bulky articles of freight, and therefore those that give most employment to the shipping, if I had no other fact to stand upon than this —that lately you took the duty off corn, that you greatly reduced the duties on sugar, that you removed the cotton, the wool, the hides, the oils, the silk, and the hemp duties, and in fact the duties upon every bulky commodity of import—I say, and I appeal to the House to acknowledge the justice of what I say, that this, and no other than this, is the period at which we ought to consider whether the navigation law itself ought to be maintained, and if it should, upon what basis it ought to be founded. There is another consideration, the menaces—if they can be called the menaces—of foreign Powers, and the excitement beginning to prevail in many of our colonies upon this question, all of which I regard as enhancing the force of the argument that now is the proper time for dealing with these laws. But even independently of these considerations, upon commercial grounds alone, I am quite sure that this is the season when our duty binds us to approach and definitively settle the whole question. Well, then, if a change is to be made, and now to be made, I come next to the manner in which such change ought to be carried into effect. And here I differ not materially from many of those who have thus far accompanied me in what I have already stated. And at the same time I freely admit that I differ from them without the least substantial hope of conciliating those who are friendly to the existing laws; because my doctrine is, that we should walk in the path of experience—that we should continue to apply more extensively the principles that we have already applied—that, adhering to those rules of action which Mr. Huskisson and others adopted, we may safely part with the navigation laws under the conditions, and in the manner, in which they indicated their readiness, if not altogether to abolish, at least to relax them. Now there are two demands which the shipowner may fairly make upon the Legislature. In the first place, I think he is entitled to the removal of every peculiar burden that now encumbers him. And I find a remarkable passage in the report of the Committee of the General Shipowners' Society, which consists only of a few lines, and I cannot avoid bringing it before the House. I must not, however, be supposed to imply that that society considers that protection, as a national principle of policy, ought, under any circumstances, to be departed from. I believe, on the contrary, they think that in that principle there is something in the nature of a talisman, or a charm, or a mine of national wealth; which they would tenaciously cling to and cherish as their very life's blood. Of that I do not speak now; but I speak of the ground upon which they rest the shipowner's claim to protection; because it is quite clear now that he must make out his claim. As long as there were various other cases of protection in existence, the shipowner might rest listlessly under the shadow of that wide-spreading tree; but now that every branch but one had been entirely lopped off, he must stand up and show what the special grounds are that entitle him exclusively to the continuance of protection. Now what, then, are the grounds put forward by the committee of the society I have named. The report says—

> "The shipowner must not expect, on abstract grounds, any exemption from the competition to which other interests are subject, or the continuance of any immunity from which they are excluded; but must rest his case on the inseparable connexion existing, on every principle of justice, between special burdens and a special and equivalent protection."

I do not intend to enter into the question as to whether it is a matter of vital necessity to the British shipping interest that this demand should, to the full extent, be complied with. I am far from believing, even if there are these special burdens, that the British shipowner would be crushed by competition, under any circumstances, with any other nation in the world; because I believe that his command of capital, his superior energy and enterprise, his connexions, together with the vigour and maritime habits of the people he employs, would enable him to bear up successfully against any degree of competition with a foreign country. But still, viewing the connexion between the extension of our mercantile marine and our naval supremacy; and, therefore, the national security and defence, and without showing any partiality towards class interests; still, I say, I would not wish to drive a hard bargain with the shipowner in this country. On the grounds of national policy, then, I would rather take off everything that fairly can be judged to be of the nature of a peculiar burden. Though much has already been done with respect to the duty on timber, and though foreign timber that pays duty may be an article of secondary importance to him in the construction of his vessel, yet I am not willing to leave that grievance standing—I am not willing to allow him to persuade himself that he is ill-used by the Legislature; and, therefore, I hold that if you expose him to unrestricted competition with foreign shipping, there ought to be a drawback or the remission of the duty upon the wood that is necessary for his use. I would not be at all sorry, I frankly confess, that this should be done upon other grounds, however, than this, because I never sympathised at any time with those who consider that timber, being an article that can conveniently be subjected to duty, and from which a large revenue may be obtained, it should be pitched upon as an article from which a revenue should permanently be raised. On the contrary, it is matter of satisfaction to me, that at various times, I have been concerned in advising the House to adopt rapid and large reductions of the duty on timber; and I hold it to be among the first articles which the Exchequer ought to give up its claim for a duty upon; and if you proceed so as to give a drawback or a remission of the duty, this, besides being of importance to the right settlement of the present question, will stand in the nature of a pledge that you mean to deal soon with the whole of the remaining duties upon timber. But there is another important point to which no distinct reference is made now, and that is with regard to the manning of British ships. I confess that I think it impossible for this House to send up to the House of Lords a Bill continuing the restraints upon the manning of our ships. I do not say now whether the British shipowner really suffers to any great extent in consequence of this restraint or not. I think he may, however, suffer to some degree in certain instances; but I am quite sure that, as regards the British seaman, he would not be injured, because, knowing the extent to which American ships were manned by British sailors, it is perfectly plain—I apprehend there cannot be a moment's argument upon the point—to say that the British shipowner could not compete with any body in the world. Still, when we expose the shipowner to unlimited competition, and avow our intention to strip him of all protection, it is impossible, I think, and would be at variance with that primary sense of justice upon which every man in a State ought to seek to act, for us to continue to impose upon him this restraint with regard to the manning of his ships. With regard to the other restraints, I have expressed the opinion before, that if your national policy require you to resort to the system of impressment, you must compensate him from all damage arising from it. If you determine to repeal your navigation laws, and repeal them, I say, in a general and sweeping form, whatever burden of a fiscal or political character the shipowner shall be called upon to undergo for the general good, he is entitled, in my mind, to such an equivalent as would equal its unconditional removal. I do not say, in order to save him from absolute destruction, because I do not admit, that under any circumstances it will come to that—but entitled, because it is of the utmost importance to our maritime pursuits that there should be the utmost possible development of our commercial marine, which is so closely connected with the glory and defence of the country. But there is another compensation, to which I confess I think he is entitled in no small degree. I do not take an extreme view of the consequences that would follow even the unrestricted repeal of the navigation laws; and I am not moved by reference to those cases that are of themselves exceptional and extreme. I am not alarmed, for instance, when it is shown that the direct trade between Norway and this country is almost exclusively in the hands of the Norwegians, and that for a British ship to be engaged in that trade is only a rare exception. I think nothing can be more fallacious or unwarranted than the argument some draw from such a state of things as that, if they found the inference upon it, that, should the navigation laws be repealed, Norway would drive our ships out of every other trade. Norway, as regards this trade, is of course limited by the amount of capital and people she can embark in her shipping; and any extraordinary increase in the demand for either must act upon the low charges that are at present made. There is a self-regulating principle that operates to confine within certain limits the employment and augmentation of Norwegian tonnage; and I think there is something analogous to this to be seen at work in the manner in which domestic and other employments are distributed amongst our population. Let a man go to Liverpool, for instance, where constant additions to the number of dwellings are being made, and he will see amongst the multitude of classes of operatives that very useful class, the hodmen, engaged in assisting in the erection of houses; and I do not believe that one of these hodmen will be found that is not an Irishman—scarcely one Englishman will be found amongst them. That does not prove that Irishmen drive Englishmen out the trade, but it proves that Irishmen are best adapted to that particular trade, and that Englishmen are adapted to other trades. I am very far from meaning that Irishmen — from whose ranks have proceeded many of the most brilliant ornaments in the history of this country—either in the higher or lower ranks, are not adapted to other trades. But speaking of them as regards the mass of those who come over to England, I say it does appear that they monopolise particular occupations; and it would be just as reasonable to argue, from their monopolising some particular occupation, that they would monopolise every other pursuit, as to argue that because the ships of Norway are the most suitable ships for the rude work of the timber trade, and the cheapest in their terms, that, therefore, they are the most suitable ships for our long-voyage trade to the East Indies or China, and would, therefore, drive us out of the market. But still, Sir, I think on the repeal of the navigation laws we must anticipate that the British shipowner, from whatever cause, will have to undergo a competition from the Baltic nations that will be sharp as far as that extent, and also a competition from the United States that will be pretty sharp all over the world. He will be placed in this position, as at present the employment of shipping is not freely and reciprocally intermixed all over the surface of the globe, but is jealously divided into separate fields; and within those fields it is limited to the shipping of one or more particular nations. The British shipowner has at present his full share of the possession of these limited and guarded fields of employment. Other nations have their share. America, for instance, retaliates this rivalry very effectually upon us, and I apprehend there is not a doubt, although I hear it often said no other nation has any return to make us—that the restraints on free navigation tell much more severely against England than against America. But still we are preparing to lay open to the foreigner the fields of employment that British ships enjoy exclusively, and more is offered to many foreign nations than they are able to give to us in return; and I think that the British shipowner is entitled to ask of us to secure for him an unrestricted entrance into those fields of employment from which he is now excluded, as a compensation for his being compelled to share the trade in other fields, hitherto exclusively confined to him, with the foreigner. I do not enter into the purely economical question. I do not raise a doubt that if you adopt the principle that you will carry out, without the slightest stint or limit, the pursuit of national wealth, then the argument at once falls to the ground. But it never has been the usage of Parliament to make unlimited applications of an economical principle. It has always been the rule to give a fair consideration to the interests, and even, within certain limits, to the apprehensions of those now engaged in conducting the enterprise of the country. On that system and policy sanctioned by the custom of Parliament, I trust the House will continue to act. And further, when we speak of the dictates and results of experience as encouraging us to go forward in the relaxation of the navigation laws, the experience we have had up to this time is an experience drawn from proceedings such as I would now venture to recommend, namely, conditional relaxations, and not drawn from absolute and unconditional relaxations of the navigation laws. It is necessary to explain my meaning in using the term "conditional" here. I freely own that the Americans have set us a very good example; and I would be disposed as much as possible to adopt the model of their legislation as far as it goes in connexion with the form of our proceeding. I never supposed there ought to be treaties of reciprocity with foreign Powers; on the contrary, I declare that one of my objections to this Bill as it now stands is, that I think it is likely to entangle us with many inconveniences touching these treaties. Here we have at present half a dozen or a dozen negotiations going on; and I am afraid of our being led to make declarations that may afterwards give rise to great misconstruction, and fetter our own hands. I see plainly from the tone of these letters that they are just like what our correspondence with other nations used to be about commercial tariffs. There is the same disposition shown to fence on either side, and to make much of what each has to give, and little of what they have to get, which proves an insuperable barrier against the formation of tariff treaties. I think you would avoid these difficulties by means of conditional legislation—by means of saying that either Her Majesty should have the power by Order in Council—or an enactment, if you preferred something more direct, having the effect of law—to declare that the vessels of foreign States, which States grant certain privileges to our navigation, shall have corresponding privileges in British ports. For example, if State A was disposed to give British vessels the power of bringing a cargo to their ports from all parts of the world, irrespective of the origin of the goods, or of the nationality of the vessel, as compared with the port of shipment, the same privileges should be given to the vessels of that nation as regards British ports. If the power of entering into unrestricted colonial intercourse is given by State B to our vessels, the power of freely entering into our colonial intercourse might be had by the vessels of that State in return. If any State—for instance, Prussia—having no colonies, were to give the whole of the privileges of its navigation unconditionally to British vessels, then, I say, let her vessels also have unconditional privileges from us in all cases. Now, the hon. Gentleman the Under Secretary to the Board of Control contended, on Friday night, when he made certainly a most able and lucid statement on the subject of reciprocity, that reciprocity was contrary to principle and policy, and likewise that it was found impracticable to execute. I, on the other hand, contend that it is according to all precedent and experience—that it is demanded by justice—and that it is far more easy to carry out than the plan proposed by Her Majesty's Government. On the one hand, I humbly submit that we ought to proceed by conditional relaxations. On the other hand, the Government contend that we ought to repeal the navigation laws, reserving to ourselves the power of re-enacting them as against all vessels belonging to nations that refuse to make mutual concessions. This is a portion of the measure I condemn; and I must say, with regard to the hon. Gentleman's speech, every word that he said against reciprocity tells, and I think he himself will admit it, with augmented force against the proposed system of retaliation. It is easier for us to stand upon a system that exists, which is embodied in our law, and associated with our habits, and to make a relaxation in that system a question of time and circumstances, than it is for us to sweep away that system, and leave new interests to grow up under a new state of things, to sow the seed of a new crop of claims against us, and then to come down upon parties acting according to their own notions, and not aware of our mode of procedure, and say we shall inflict retaliation upon them. One answer to this I know will be, that these clauses are intended to be a mere dead letter, and never will be put into action; but if that is the case, the sooner we altogether get rid of them the better. However, I say I would rather join with you than allow those laws to remain as they are. If you will not repeal them conditionally, as I advise, it would be better to proceed with your proposed system of retaliation, than leave these restrictions unremoved; but when you say that the retaliatory clauses are intended to be but very rarely used, you must mean that it will only be done in an extraordinary case; and, if so, it would be better to come to Parliament for an Act for the purpose. These communications with foreign Powers place you in a position that is scarcely honest, because you want it to be supposed that there is a real vitality in these retaliatory clauses—you want them to believe that these powers are to be executed, whereas the truth, as you say is, that they are to remain a dead letter. I think this is scarcely creditable to the character of a great country such as this; and in the next place it will defeat itself, and have no other effect but to create a general mistrust with regard to all your motives and intentions in your communications with foreign Powers. Now, we have to consider if it be fair to the shipowner, and if other reasons ought to lead us to adopt the system of conditional legislation which I have ventured to advise. I know it may be objected to me that the naval system I have recommended is the American system, and not a system adapted to England. Now, on the contrary, I say that it is the very system upon which we practically stand at the present moment with nearly every country in the world. It is perfectly true that, in the first instance, we bound ourselves by treaty when we began our relaxations of the navigation laws; and that we entered into specific engagements with particular States, saying that for a fixed number of years we would give them certain privileges, which they again were to give to us in return. Now, in almost every instance, these contracts for a term of years have expired. One exception is some South American State too insignificant to mention; and it is true that, with regard to Portugal, also, the term has not yet expired. But with respect to the United States, all the Baltic Powers, France, Holland, and almost every important country, the compulsory term of the duration of these treaties has expired; and in respect to the relations between both countries, as regards the shipping of each engaged in the direct trade between them, we now stand precisely upon this footing, and no other—a conditional grant of privileges. It is free to us to withdraw from the United States the privileges which their shipping enjoys in our ports, without consulting the Government of that nation; and it is free to her to act the same towards our shipping without consulting us. The term of the treaty has expired, and the arrangement now only exists *durante bene placito* on both sides; and this precisely corresponds in substance with the conditional system that I now recommend. Now I think it is but fair to the shipowner that we should do this, because he will have to exert himself pretty smartly in the very much enlarged field of competition with the shipping of the world; and I think it is only just towards him, that if the field of his employment is to be narrowed in one quarter, and if we have the power to enlarge it in another, that we should endeavour to do so. I will not go into the argument to show how different the case of the shipping is from the case of goods imported and paying duty, because the hon. Member for Westbury has frankly admitted their totally distinct positions. But I cannot help urging this—that the plan I propose would have the effect of doing much more for the general liberty of commerce than the plan of unconditional legislation would do. I am perfectly persuaded that if you proceed on the system of conditional legislation, a great majority of foreign nations, and the United States of America particularly, will give us what we want, and every thing we want. Now, I confess, when I heard the plan of the right hon. President of the Board of Trade, and heard, especially, the manner in which he proposed to deal with the coasting trade of this country, that I was satisfied that this part of his plan was likely to be ineffectual for its purpose. Any chance you can have of getting from America a share of her coasting trade must depend upon your offering her your coasting trade entire, leaving her perfectly free to enter upon it under all the regulations that affect British ships engaged in it. But it is not to be expected of America that she will consent to lay down for herself, and be prepared to fetter herself towards other countries by those particular regulations upon which he proposes to proceed; not giving up the whole coasting trade, but only giving up morsels and portions of it; and it is not to be expected that America will conform to these regulations. I understand that a paper will be soon in circulation, containing the answer of America to the overtures made to her by the British Government, and which paper shows the disposition of America to reciprocate commercial privileges with this country. But, Sir, I think we must ask ourselves, according to that old and homely, and yet still applicable proverb, whether "a bird in the hand is not worth two in the bush?" and, still more, whether it is worth one? I confess I would rather have a distinct engagement from America—at least, in the form of her own law—than the declaration of any Minister or any President who is about to quit office in about three or six weeks' time. The instability of the American Executive, and even of the legislative body, is to be feared in these matters. In 1842 America passed a highly restrictive tariff, and in 1846 she relaxed it again; but I am afraid there are serious apprehensions to be entertained that the same influences that carried the presidential election may lead to an alteration of the tariff favourable to their interests. In point of fact, the short and the long of what I wish to say is, that if you proceed by unconditional legislation, I do not believe you will get the coasting trade of America thrown open to you. If you proceed by unconditional legislation, and offer to give up your colonial trade, instead of our giving up our coasting trade, I believe she will get your colonial trade, and she may be ready to give you up some comparatively insignificant advantages in return; but she is not a lover of free trade in the abstract. Evidently the protecting principle is very strong in America, although it is true it is not so strong with reference to shipping as to manufactures. Yet I must confess that it would be most rash, particularly if you have the power of establishing that which I believe you have — namely, a thoroughly reciprocal system, to throw away any advantage that we have in our hands, and give her all that she can ask, with nothing else but a declaration of an evanescent Ambassador or a dying President. Sir, I must also say that I look upon it as a recommendation of my own plan, that under it I do believe we might get a final Parliamentary settlement of this question. I am entirely convinced that we have arrived at that stage in our maritime history, when we can afford to part with, subject to the conditions I have named — conditions conformable to experience, to justice, and to practice—we can afford to part with the whole of the navigation laws. I have never heard anything to convince me that there is any reason why the foreigner should not be permitted to embark in our coasting trade if he can find his way into it. I have never heard anything to convince me that the same regulations which are effective for the protection of the revenue as against the English smuggler, are not at least equally effective—I think they are more so—as against the foreign smuggler; and here, I confess, I find great difficulty in the plan introduced by the right hon. Gentleman, not to throw open the coasting trade to the foreigner; he still maintains a preference and distinction in favour of the British ship. But what does he do? He alters the regulations, not as between the foreign and the British ship, but alters that which I have always understood to be vitally essential for the protection of the revenue. As I apprehend it is at present the uniform and invariable rule to insist upon the strictest possible separation between the outward and inward-bound goods —between foreign-trade goods and goods coastwise; and, in point of fact, with a system of drawbacks and high-duty goods, there would be the greatest danger to the revenue, or we must undergo the most enormous expense, if we do not require the separation of cargoes. But if you allow a vessel to take in goods to carry coastwise, duty paid, she might be taking in tobacco at Liverpool, duty paid, to carry it coastwise, while at the same time she was discharging tobacco at Liverpool, not duty paid. I cannot see anything that would be so much fraught with danger. I feel, however, that the debate on the second reading of this Bill is not the time to pursue the subject in detail; but I trust the right hon. Gentleman the President of the Board of Trade can remove from our minds those apprehensions which at present we must seriously entertain. The right hon. Gentleman at present plainly leaves the matter with the power of retaliation, and with intricate details with regard to the coasting trade; and if he leaves matters in this state, and if the Bill be passed in such a form, we must expect to see the question hereafter revived as a subject of Parliamentary discussion. I do not believe that you will ever see it revived as a subject of Parliamentary discussion if you walk in the ways of Mr. Huskisson and others, and proceed in your course by means of conditional legislation. By doing so, I believe you might give up every restraint that the navigation laws impose; and that the British shipowner would never ask that one of those restraints should be revived. There is one argument used, which I confess rather tells on the whole against the plan I suggest, and that is the argument which is founded upon the wishes of the colonists. The right hon. Gentleman the Member for Stamford has told us much of the Quebec Board of Trade, and of the meeting of gentlemen at Hamilton; but the right hon. Gentleman takes no notice whatever of the address of the two Houses of Legislature. My right hon. Friend has great respect for constituted authorities; but it is evidence of something like jacobinical feeling not to attend to the authentic wishes of the constituted organ of the country, but to go to the Quebec Board of Trade and the Montreal Board of Trade to ascertain the wishes of the people. And the right hon. Gentleman must know far better than I do that the Quebec Board of Trade and the Montreal Board of Trade do not represent all the various interests of the people of Canada. However, I must frankly own that the people of Canada do want the abrogation of the navigation laws; and I freely confess that if you look to their wishes alone, their wishes would be more entirely satisfied by the unconditional abolition of the navigation laws than by the plan I propose; but not the abolition of the navigation laws providing for retaliation; and I will not envy the Government who, having allowed the Canadians to make a choice of vessels in which to carry their produce to England, shall hereafter say to them, "On account of other interests, with which you have nothing to do, we will withdraw this privilege from you." Therefore, if this law of retaliation is to stand, however the argument with respect to the colonies may tell against the suggestion I make, it tells with tenfold force so far as that proposition is concerned. But there are many conflicting interests in the colonies to be attended to; and you must consider what justice demands, and what means you have of acting on foreign countries to promote by the stimulus of self-interest the general principle of commerce. It is on this ground I say that you are not justified in looking to the case of Canada alone, or in declaring that because it may be more satisfactory to the Canadians to proceed unconditionally, therefore you are to throw overboard every other consideration. Now, what do we find the sentiments of the inhabitants of New Brunswick to be, as far as they have been declared? They appear, I think, to lean more towards the mode of proceeding which I recommend. I find that the magistrates, merchants, and other inhabitants of the city of St. John's, convened at public meeting in the month of July last, use this language:—

> "Your petitioners humbly beg leave to represent to Your gracious Majesty, that they are firmly of opinion that the measures now under consideration of the Imperial Parliament, as introduced by Mr. Labouchere, if they become law, will prove generally prejudicial to the British empire, and particularly to this loyal colony, inasmuch as there is no reciprocity to be found in the plan proposed for the alteration, or rather the abrogation, of the navigation laws; and, moreover, that there is no equivalent provided for Your Majesty's subjects in the concessions to be made to foreigners for the privileges and benefits of the colonial and intercolonial carrying trade, as, in fact, they have none to offer, save and except the coasting trade of the United States of America, which is not to be given up to British subjects, unless the coasting trade of Great Britain be conceded to them, which is not contemplated in the measure now under consideration of Parliament."

Therefore, if the Canadians be better pleased by the mode of proceding which Her Majesty's Government have adopted, it is plain that the people of New Brunswick are much more in favour of a system of conditional legislation. And with regard to the people of Canada—because it is indeed but reasonable that we should take a mixed and balanced view of the subject, and endeavour to combine together as far as we can the conflicting interests involved in it—they should see that we were only extending to another portion of Her Majesty's subjects the very same privileges that we were desirous to confer upon them. Therefore, so far as regards the bearing of the colonial argument, it has a mixed effect on this question. The hon. Gentleman the Member for Westbury stated on a previous night, as an objection to a system of reciprocity, that foreign countries have nothing to give in return, with but one exception, that is, the exception of the United States; but in conceding that exception, the hon. Gentleman nearly conceded the whole case; for it is the competition of the United States that the British shipowner has to fear. It is the ship of the United States he will find in every port in the world, competing with him, and reducing down his freights. I am satisfied that the way of getting the coasting trade from the United States is by making the possession of your colonial trade conditional and not otherwise; and by entering into that arrangement, the shipowner will gain more than any loss he may sustain by American competition. With regard to the British shipowner, it may be said, without casting any reproach upon him, that by an increase of care and economy our marine may be improved. It would be absurd to be influenced by the opinion of those who place them at the head of the maritime navigation of the world; and I have no doubt, when you compare our marine with the marine of America, there are some important particulars with regard to despatch, with regard to the training of masters, and the charges also for carriage, in which our marine is susceptible of improvement. But that is not all the advantage I expect from the abolition of the restraints on navigation. What, I ask, is the effect of the navigation laws in general—not our navigation laws alone, nor the navigation laws of one country more than another—what is the whole effect of the navigation laws? It is to make ships go with half cargoes, when they might go with full ones—it is to make them go out of one port with a cargo, and come back in ballast instead of carrying back a cargo—it is imposing a general tax on the commerce of the world, and the effect of a judicious abolition of them will be to do away with the evil, and to equalise as much as possible the carrying of cargoes, leaving all those things to be regulated by the natural operation of the principles of commerce. You will not then have a Spanish ship coming into an English port with Spanish goods, and going back empty; or an English ship, having brought English goods to a Spanish port, going back without a cargo. It will be the same way with the trade of Newfoundland and elsewhere, and we will have all things that are necessary for the comfort of man carried at the cheapest rate to their places of destination. There is another point on which I must say a few words. I refer now to the clause which confers on the colonial legislature the power of passing laws with respect to the admission of foreign vessels to the coasting trade of the colony and the colonial trade. I see no reason why that subject should be removed from the jurisdiction of Parliament. There is no doubt that there is one matter which greatly affects the interests of Canada, and stands by itself—that is, the navigation of the St. Lawrence above Montreal and the Lakes; but why give this power to the colonies to regulate their coasting trade? Yet this power is given, certainly under certain conditions; but I suppose the right hon. Gentleman will explain it. I confess, I anticipate that much inconvenience will arise from placing in the hands of the colonial legislature the power of legislation in regard to foreign ships. I am for giving to the colonies as much power over their own affairs as any man in this House; but if there be anything more than another that should be kept out of the hands of a colonial legislature, and reserved for the Imperial Parliament, it is the regulation of all matters between the colonies and foreign States. Nor can I allow (although disposed to concede to the colonists as much power as possible in the control of their own affairs) the power of deciding whether a foreign ship should sail, for instance, from Halifax to Sydney. I presume that the right hon. Gentleman does not designedly depart from that principle, which is so universally admitted; but if the colonial legislatures are to pass laws which are to govern the access of foreign ships to colonial ports, he will find, that out of those laws, in the execution or application of them, there will necessarily grow questions relating to their construction—there will arise cases of misunderstanding or of grievance, and the construction of those colonial laws will be either referred to Downing-street, which may not be satisfactory to the colonies, or else you will have direct diplomatic agents established between the colonial governments and the agents of foreign Powers. I wish, therefore, to call the attention of Government specifically to this subject. I regard it at present as a positive evil, and I don't see any positive reason for introducing it. I don't see why you should not deal with your foreign coasting trade as with the rest of this question. I see no reason, if you adopt this measure, and take a burden off the shipowners, why you should make any reservation with respect to the British coasting trade, or colonial coasting trade, or any other portion of the Queen's dominions. I am, of course, prepared to hear every argument against the concession of the coasting trade, and it may be said the Government are the persons to form an opinion upon it; but the best mode, I think, of dealing with this question would be the total surrender of all advantages, subject only to the exchange of advantages with other Powers. By this means certainly your shipowners' interests will be best advanced, and you will do most to promote the progress of the principles you advocate. With respect to the progress of those principles in other States, I am afraid the time will be long before we receive as full and as tacit a recognition of them as we desire. And though I am far from repenting of what we have done ourselves — though the reasons were adequate, and the results are such as to satisfy my own mind, I cannot deny that the withholding of reciprocal acts on the part of foreign States, is a misfortune to those countries, and to us also. And I am exceedingly unwilling to part with the possession of an instrument such as the navigation laws, by which it is in our power to act strongly and effectually on foreign countries, through a sense of their own interest, without seeking by correspondence, or negotiation, to induce all amongst them whose adhesion is desirable, to agree to the principle which you are anxious to establish of perfectly free navigation. I feel that all those considerations go to establish so material a change in the measure that has been proposed by Her Majesty's Government, that it was right I should endeavour fully to state them to the House. I have, indeed, no intention of taking a vote of the House in regard to them merely for my own satisfaction, or to vindicate my own consistency. My intention is to observe the reception they meet with in the House, and from the country. I think that justice to the shipowners calls upon us to proceed on the principle I have laid down; but I do not know that the shipowners will think so, and it is desirable to ascertain whether they are more favourable to the plan I have sketched, or to the plan of the Government. I am little disposed to take up the time of the House, or of the Government, unless it be for the attainment of some great practical object; but an hon. Gentleman has given notice of an Amendment, to be moved in Committee, which will probably raise the question whether we shall proceed or not by conditional legislation; and that may give me the opportunity of expressing the opinions I feel strongly in regard to it. I thought it right, however, on this occasion, to express my opinion on this point, for by adopting the mode of proceeding to which I call your attention, you will follow the dictates of experience, and do all that is necessary to satisfy the demands of justice. Before I sit down, I must say a few words on a collateral question, to which I have already, but at an irregular stage, called the attention of the House. I asked the noble Lord at the head of the Government, before the right hon. Gentleman the President of the Board of Trade proposed his plan, whether that plan was to have the support of all Gentlemen holding offices under the Crown, and occupying seats in this House. The noble Lord said it would be supported by all Her Majesty's servants in this House, with the exception of the hon. Gentleman the Member for Hull, who has been recently appointed the head of the Poor Law Commission. And the noble Lord referred to two cases in support of this course of proceeding—one was that of Mr. Wynn, who took office with the intention of following a different policy from the Government he joined, in respect to the Alien Act; and the other was the case of Lord Lonsdale, who, in the year 1829, retained office under the Duke of Wellington, while he voted against Roman Catholic Emancipation. I freely own that the precedents quoted by the noble Lord—without entering into such nice distinctions as might be shown to exist—go so far to supply, at least, a technical vindication or a Parliamentary vindication of his own conduct, that I feel it would be unbecoming of me to canvass it with any asperity; but looking at it as a practical question, I cannot help thinking it as an arrangement that ought to be noticed, in order that it might not be repeated. I submit to the House that when Her Majesty in Her Speech from the Throne has recommended to the Houses of Her Parliament a particular course in respect to a subject of high national policy, carrying with it the most important effects—I submit that, under those circumstances, it is not well that Her Majesty's servants should be divided in regard to the carrying out of—or refusing to act upon—Her Majesty's recommendation. The right hon. Gentleman the President of the Board of Trade, when introducing his plan to the House, stated, in terms pretty intelligible, that he thought that by the determined adherence of Parliament to the present navigation laws, the connexion between Canada and this country might be endangered. No man can doubt the sincerity of the right hon. Gentleman on this question; but I submit to him that that declaration which represented the connexion between a colony and the mother country as involved in the acceptance of this measure by Parliament, does not well comport with an arrangement which, for the sake of the convenience of a particular department, exhibits to the world a divided Government—divided upon a question of imperial importance. With respect to the Duke of Wellington and Lord Lonsdale, I think, when we consider what took place in 1829, it is only fair to assume that the Duke of Wellington was so far aware of the state of feeling in the two Houses of Parliament, that he felt he had strength to spare; and having strength to spare, and being secure of the attainment of his end, he did not wish to sever a very old political connexion. But is the noble Lord equally confident and assured that he has strength to spare both in this House and in another place? If he be, I must confess that my views of the general inconvenience of such a proceeding are very much altered; but if he be not so assured, I put it to the noble Lord that nothing can so strengthen the opponents of his measure, and detract from the moral weight attaching to the judgment of this House, as the appointment by the Government of an officer who is opposed to them in regard to this measure, which, according to the representation of the right hon. Gentleman, is necessary for the integrity of the empire. You thus may produce an effect in another place, for you show that you yourselves think that the measure is of less importance than the political convenience of making an appointment to a particular department of the State. I do not wish to carry this matter further, but I thought it of sufficient importance to demand observation. I hope I shall not be thought to speak in terms of disrespect of the hon. Gentleman who is immediately the subject of remark. I believe, in every particular, it was impossible for the noble Lord to make an appointment that would do him greater credit, or be of more advantage to the public interests. The noble Marquess (the Marquess of Granby), who spoke on Friday night—I believe he is not now in the House—is in a state of great alarm for the consequences that may arise from any change in the navigation laws. He desired, it appeared, to expel the vapours and exhalations that had been raised with regard to the principle of political economy, and which vapours and exhalations I find for the most part in the fears with which those changes are regarded. The noble Marquess consequently hoped that the Trojan horse would not be allowed to come within the walls of Parliament. But however applicable the figure may be to other plans, it does not, I submit, apply to the mode of proceeding I ventured to recommend to the House, because we follow the precedent of what Mr. Huskisson did before us. Therefore, more than one moiety of the Trojan horse has already got within the citadel—it has been there for twenty-five years—and yet what has proceeded from its bowels has only tended to augment the rate of increase in the progress of your shipping. Therefore, let us not be alarmed by vague and dreamy vaticinations of evil, which never have been wanting on any occasion, and which never will be wanting so long as this is a free State, wherein every man can find full vent and scope for the expression, not only of his principles, but of his prejudices and of his fears. Let us not be deterred by those apprehensions from giving a calm and serious examination to this question, connected as it is with the welfare of our country. Let us follow steadily the lights of experience, and be convinced that He who preserved us during the past will also be sufficient to sustain us during all the dangers of the future.

Mr. ROBINSON said, as he was intimately connected with the shipping interest, and could appeal moreover to the results of personal experience as regarded the colonies, he hoped the House would indulge him with a hearing. The opponents of the navigation laws seemed in general to suppose that those laws greatly increased the prices of commodities imported into this country; but the hon. Member for Westbury had admitted that the navigation laws had not had the effect of giving to the British shipowner an exorbitant rate of freight; and in the opinion of the hon. Gentleman upon that subject he entirely concurred. The right hon. Gentleman who had just sat down said that our shipping had of late years increased in a greater ratio than the shipping of America. But the right hon. Gentleman must be aware that that increase had been owing to the fact that our colonial trade and our intercolonial trade had been confined to British shipping. It did not follow, however, that because our shipping had increased in a greater degree than that of the United States of America under the existing navigation laws, that increase would continue if these laws were repealed, and the whole of our colonial trade were thrown open to the rest of the world. He entirely agreed with two of the propositions of the right hon. Gentleman the Member for the University of Oxford. One was, that if the shipowner was deprived of the advantage which the navigation laws extended to him, he should be relieved from all the disadvantages under which he now laboured. Upon this point he begged to ask the right hon. Gentleman why he intended to vote for the second reading of the Bill? Let him ask the right hon. Gentleman what security there was that the disabilities in question would be removed? He (Mr. Robinson) saw no security whatever, and, therefore, he would not vote for the second reading. He would frankly state that, for his own part, he would much rather see the navigation laws repealed by a short enactment, than he would vote for the second reading of the Bill, which left the question of indemnity to the Government. What were the disabilities under which the shipowner laboured? There was the duty on timber; and although he did not consider that that was an essential point to be urged, yet it must be considered that, upon a vessel of 200 tons, the duty upon the timber would be 300*l.* There was another item which the right hon. Gentleman did not allude to —the duty upon marine assurances; in fact, there were all the taxes which pressed upon the British shipowner, and from which the foreign shipowner was free. He would ask the noble Lord at the head of the Government if his Exchequer was in such a state as to enable him to surrender such taxes? Was the noble Lord prepared to declare that he was ready to abandon the duty upon timber, upon marine assurances, to relieve the shipowner from the apprenticeship restrictions, and to allow him to man his ship with foreign seamen? The noble Lord was not in a position to give any such assurance; and although he were, and the promise realised, he did not think that even then the British shipowner would be able to compete successfully with the foreigner. It appeared to him that, if we were to admit the people of the United States to our colonial trade, and to the long voyage, they could offer us no corresponding advantage. But, at all events, if they were to open to us their coasting trade, they would be giving us something in the shape of an equivalent—something like a reciprocal arrangement; and no British statesman, until within the last few years, had ever entertained the idea that reciprocity was not desirable. As regarded reciprocity, the hon. Member for Westbury had made some very extraordinary declarations. The hon. Member ridiculed the idea of reciprocity, and went upon the principle that it was England's interest to give up everything, and to ask nothing in return. He (Mr. Robinson) was much more favourable to the stipulation system propounded by the right hon. Gentleman the Member for the University of Oxford. The hon. Member for Westbury stated that the foreigner had nothing at all to offer in return—that was the protectionist argument; and the objection to the course proposed was, that concessions were to be made to parties who were perfectly well known to be unable to give anything in return. He had the greatest respect for the opinions of Mr. Huskisson; but he could quote many of his speeches, showing that in all the concessions to which he was a party, reciprocity was his governing principle, even in cases where he made no absolute stipulation for the purpose of securing that object. If, then, they were determined to adopt this change, for God's sake let them make it conditional on the concession of similar advantages by other countries. They were about to confer on America—our most formidable rival—the facility of free navigation from all parts of Europe, Asia, and America, and to throw open to them the whole colonial and intercolonial trade. What had America to give us in exchange for such concessions? Nothing whatever. There could not be a stronger proof of this than the exultation with which the first announcement of the measure was received in America. In a Washington paper it was said—

> "The importance of such a measure cannot be exaggerated; it will open to our enterprising merchants the lucrative trade of the East and West Indies, and of the other British settlements. The repeal by Great Britain of the laws restricting the trade of the United States with her colonies will be far more beneficial to this country than any commercial treaty ever made by our Government."

It might be said, perhaps, that these were the mere assertions of unauthorised persons; but what said Mr. Polk? Mr. Polk said, that the commercial marine of the United States was nearly equal to that of Great Britain, and in a very short time—and he was then only speaking of the increase of trade which he anticipated from the acquisition of California and New Mexico, by opening an immense trade with the East and the Pacific, but without any reference to the repeal of the navigation laws—in a very short time he thought the United States would be, in respect of the number of her ships and seamen, the most powerful nation in the universe. Here was a warning voice from America; and yet the noble Lord and his Colleagues went on recklessly pushing the measure in spite of all the evidence as to the disastrous consequences which must follow, given before their own Committee and that of the House of Lords; and in spite of all the petitions presented against it, and without any complaining party against the laws, except, perhaps, some dissatisfied persons in the colonies. The noble Lord told the deputation which waited upon him the other day not to give themselves the trouble of entering into any arguments on the subject, that it was not a new question, and that the minds of the Government were made up, and that the measure must be proceeded with. Sorry indeed was he to hear that the noble Lord, at a time when a measure had been submitted by the Government to the deliberate consideration of Parliament, should have told those Gentlemen that the Government were resolved to shut their minds against all evidence, and had determined to carry their measure by means of their majority. He regretted that a man of the noble Lord's intelligence and talents should have come to such a determination, but he nevertheless could not help admiring his candour in making the declaration. The right hon. Member for the University of Oxford had stated his willingness to go into Committee, as he would then have an opportunity of examining the measure in detail; and, hostile as he (Mr. Robinson) was to it, and determined as he was to do all in his power to throw it out, yet had the measure been framed in accordance with the recommendation contained in Her Majesty's Speech, he would not have joined his right hon. Friend the Member for Stamford in refusing to go into Committee. The recommendation was that Parliament should take into its deliberate consideration the present state of the navigation laws, and the disadvantages under which the commerce of this country was, in some cases, exposed by the operation of those laws, and to make such changes in them as could be effected consistently with the security of the country. He had no objection to that. Whatever disadvantages the present navigation laws imposed on British commerce, which could be removed by any change in those laws consistent with the maintenance of our commercial marine, which, in his opinion, was indispensable to the maintenance of our naval supremacy, he was perfectly willing to consider in Committee. But was that the Bill of the Government? By no means. The measure of the Government was a sweeping abrogation of the navigation laws of this country, the points reserved being unworthy of reservation. As he had already stated, he would rather see a short Bill brought in for the repeal of the navigation laws as respects the long voyage and the colonial and intercolonial trade. The Government evidently had some misgivings, because they had made reservations as to the coasting trade, and gave a discretion to the colonial government as to the opening of the intercolonial trade, which he felt would be a fruitful source of difference between the colonies and the Government at home, and between the colonies themselves. He would ask the hon. Member for Bridport, if, with the exception of 1847, the British shipowner had not had more reason to complain of a want of fair remuneration, than the shippers of goods had that they were suffering under a monopoly? He could only state that, being a shipowner and merchant, he had found it preferable to obtain freights in the vessels of others when he required them, than to employ his own vessels. The question of the colonies had been so ably handled by his right hon. Friend the Member for Stamford, that it was unnecessary for him to occupy the time of the House with any observations on that part of the subject. Should the change proposed, however, be resolved upon, he agreed with the right hon. Gentleman the Member for the University of Oxford, in thinking that no discretionary power of the kind proposed should be left with the colonial legislatures. But the noble Lord would not surely argue that there was any proof that the majority of the inhabitants either of Canada or the West Indies were in favour of the repeal of the navigation laws. A portion, and a most respectable portion he was willing to admit, of the people of Canada had applied for repeal—an application, he confessed, entitled to weight, both with the Government and with Parliament. But what did they ask? Not such a Bill as this. They asked that the St. Lawrence might be thrown open to foreign ships for their especial benefit. He remembered reading a speech delivered at one of the meetings alluded to, in which the speaker said, it was not for Canada to offer any opinion as to what effect a repeal of the navigation laws would produce on the British empire at large; all they had to do with the subject was this, that having been deprived of the protection which they formerly enjoyed, they had a right to the use of foreign vessels on the St. Lawrence for their own purposes. That might be a very fair argument for a Canadian, but he felt that he was a Member of the British Parliament, and obliged to look at the question as affecting the whole nation; and believing, as he did, that Canada would derive a very trifling benefit from throwing open the St. Lawrence, and being assured that this country would suffer very considerably by so large a measure of repeal, he felt compelled to resist any such proposition. The hon. Member for Westbury came forward on Friday night in a new character, as the friend of the shipowner, and said he was desirous of repeal for his sake; and adverting to the mass of figures with which he came prepared, expressed fears that the shipowners would ruin themselves, if such extraordinary rises in the price of freight were liable to take place, by overbuilding. He could console the hon. Gentleman with the assurance that shipowners and shipbuilders were not such dolts—they might very safely be left to take care of their own interests in this respect. Would the hon. Member for Bridport deny that at this very moment the rates of freight were so low as to be unremunerative to the shipowner? He was unwilling to weary the House, or he could show in detail that such was the state of things in the trade to South America, Brazil, the West Indies, the North American colonies, the East Indies, and, in short, to every part of the world. Reference had been made to the case of Mr.

Gray, a most intelligent man, and a considerable merchant, though not a shipowner, as he believed. It was said that because Mr. Gray, who had a correspondence abroad, thought fit to ship a small quantity of hides in a vessel, and was obliged to carry them to Antwerp to sell, therefore we ought to repeal the navigation laws. That was one argument. Another was, that because some importer of cotton could not bring his goods from Havre to England, therefore we ought to repeal the navigation laws. He knew those laws did impose restrictions on British as well as on foreign commerce; but he contended that they were so rare, and of such unfrequent occurrence, compared with the importance of the navigation laws, as to be not worth mentioning. He must confess, that unless the Government had some stronger arguments than those put forth by the hon. Member for Westbury on Friday last, they were proceeding on very insufficient grounds. He objected not only to the repeal of these laws, but to the manner in which the Government had endeavoured to pass such a measure. It did not require the noble Lord's answer to the deputation from London to show that he had made up his mind, and that the Government had irrevocably committed themselves. From the first moment when he saw the well-known letter from the Secretary of State for Foreign Affairs to Mr. Bancroft, he knew the Government would use their influence to pass the measure through the House. What was the use, then, of asking a number of Gentlemen of that House to constitute themselves a Select Committee for the purpose of taking evidence on that important subject; or what was the use of the other House appointing a Committee? He remembered, indeed, that the noble Lord at the head of the Government had, at the close of last Session, when asked to wait for the production of the evidence taken before the Committee of the House of Lords, said that it was not necessary to wait for that evidence. What, too, could be a more shameful or disgraceful proceeding—he would not characterise it in milder terms—than to send out, as the Government had done, letters from the Foreign Office to our consuls absolutely asking them, in terms they could not misunderstand, to make as unfavourable a report as they could on the points referred to them, in order that the Government might the better be enabled to carry this measure? This, in conjunction with other things, tended to show the reckless and determined way in which they were resolved to carry the repeal of the navigation laws in spite of every obstacle; and that the Government, having embarked in what was called a free-trade policy, were determined to carry it against every interest in this country. What did the hon. Member for Westbury say last year? He came down to the House with a letter from Pernambuco, stating, that such was the bad character of the British shipmasters in Brazil, that whilst all foreign vessels were obtaining freights, the British ships were lying idle, though it was subsequently shown on his (Mr. Robinson's) side of the House to be an absolute falsehood as regarded the inference drawn; the reason being that the freights offered, though remunerative to the foreigner, were unremunerative to the British shipowner, and the British ships were waiting till the foreigner had gone, in order to get better freights. What had been the result of their free-trade experiments hitherto? Every step taken with such confident predictions of success, had produced a directly contrary tendency. He did not mean to say that all the measures introduced by the right hon. Baronet the Member for Tamworth had been disadvantageous; many of them, he knew, had been necessary, and many advantageous; but he would only say, that thus to expose all the interests of the country to unrestricted foreign competition, whilst we had such a weight of public and local taxation to sustain, while we had an expensive Government, and a heavy national debt to pay, was nothing short of insanity. But there was a class of persons in the country for whose interest, since he had had the honour of a seat in that House, he had invariably stood up, and that was the labouring and operative classes; and he believed, that ever since the great changes that had taken place in the fiscal arrangements of the country, which had withdrawn no light portion of capital from the great interests of the State, and capital which had been employed for the benefit of British labour—he believed it was notorious that ever since then there had been a great increase in the amount of pauperism, crime, and destitution, and that they had paid, and would pay still, more dearly for the experiment they were making. What was the great want of the country? What was the great difficulty of the Government? There were two things which it appeared to him should above all others occupy the attention of the noble Lord at the head of the Government; and if he would only for a moment pause in his determination to look neither to the right nor the left, but to pursue recklessly the course to which he appeared to be committed, there were two circumstances that ought to induce the noble Lord to pause—namely, the condition of the operative and labouring classes, and the financial state of the country. Now he wished to ask the noble Lord a question relative to the financial condition of the country. Did he suppose that when the navigation laws were repealed, and the shipping interest exposed, as well as all others, to the disadvantageous competition which they would have to sustain with foreign countries—when their profits were reduced, and the capital of the mercantile classes could no longer be employed advantageously—he asked him what would become of the finances of the country, and who was to pay the taxes? It was clear, that if the operatives were not employed, they would confine themselves to mere necessaries, and that they would not consume exciseable articles to any large amount. They would not, therefore, contribute to the taxes of the country, and the consequence would be, that the Chancellor of the Exchequer must be compelled to find out new sources of taxation. Did the noble Lord know where these were to be found? He had last year tried his hand at an increase of the income and property tax, but he was defeated. He would tell the noble Lord that he believed in his conscience, that if he persevered in his system of free-trade measures, the country would be reduced—he would not say to that position that the national faith would not be maintained, because he believed that there was a sufficient sense of honour in the country, and a sufficient sense of justice, to enable them to fulfil their engagements; but he would tell the noble Lord that there would arise a great struggle between parties, not as to who should pay the taxes, but who should avoid the payment of them. He remembered an observation made by a very old Member of that House, the right hon. Member for Coventry, that the period had at last arrived when the question was to be tried how cheap prices and high taxes were to be reconciled. For his part he did not think that this country could maintain its position with cheap prices and high taxes, unless protection was restored to the agricultural interests; and, unless the mercantile and manufacturing interests were placed in a position to carry on their operations advantageously, he believed that it would be impossible much longer to raise a revenue such as was required by the exigencies of the country. He would make one or two remarks with regard to the American shipping, to which the hon. Member for Westbury had made such pointed allusion. The hon, Gentleman had said, that while the American shipping had increased, the British shipping had increased in a still greater degree. Why had the British shipping increased in a still greater degree? Because we had reserved to ourselves those privileges for British shipping which the present Bill proposed to surrender. It was under the present navigation laws that the British shipping had thus increased. What was the case with regard to America—that country which he did not hesitate to say was seeking to elevate herself at the expense of England? It was impossible not to see that the ambition of that young republic was so great, that it was flattering itself that it would shortly become the arbitress of the world. He believed in his conscience, that if the measure before the House passed, in a short time, in a very few years, it was more than probable that they would have to sustain a most severe and oppressive, and it might be a fruitless, struggle for the maintenance of their North American and their West Indian colonies. He was satisfied that the ultimate aim of the United States was the possession of the entire North American Continent. In fact the measures of the Government had so disgusted the colonies, that in their public meetings now they were discussing whether it would not be better for them to unite themselves to the American republic, than to remain dependencies of this country. He was not quite clear himself whether that would not be the best thing for them to do. Sure he was of this, that, so far as England was concerned, it would be better for her to give them up, than to persevere in their recent ruinous policy. When they had given up their colonial trade, what had they to do with colonies except to maintain expensive governments and a large military force? They were in fact abandoning them, in maintaining the doctrine that their own subjects had no more claim upon them than the citizens of any other country. He contended that the people of those colonies had as much claim upon England as children had upon their father. He found that the Americans, while we were proposing to surrender our intercolonial trade, had a tonnage of 670,000 tons engaged in the British American colonies; while all the other nations, including the British, had only a tonnage of 500,941 tons, so that the Americans had a tonnage of 170,941 tons more than all the other nations put together. What was the case with regard to the West Indies? The number of American ships was 497, while the foreign, including British, was only 308; so that they had double the amount of vessels engaged in the West India trade. The trade with the East Indies was entirely in their own hands. The American tonnage employed in the East Indian trade was 13,683, while the British tonnage was returned as nought, there not being a single British vessel proceeding thence to the United States. They had also almost the whole of the carrying trade between Cuba and the United States. In short, the rapid strides that the United States were making, even under the present navigation laws, convinced him that if they made the proposed surrender to them, in a short time the tonnage of American vessels would considerably exceed that of Great Britain. He was aware that anybody looking at the relative proportions of the navies of the two countries could have no fear in the event of a war, the American navy being inconsiderable compared with theirs; but when it was considered what vast possessions they had to guard, both at home and abroad, which rendered a large naval force indispensable, he thought they had not much to boast of, and that they would ultimately find the American nation the most formidable they had yet encountered. Suppose they were engaged in a war with France and the United States, when the repeal of the navigation laws would give them such decided advantages, he could assure the noble Lord that, although he placed as great reliance as the noble Lord did upon the energy, the power of competition, the zeal, and the perseverance of the British shipowners and merchants, he should be sorry to see this country exposed to such a contest, and he thought it was their duty, by all possible means, to guard against it. With regard to the actual tonnage of the United States, it appeared that it was only 650,000 tons less than that of England, and he would now say just one word upon the naval part of the question. It was impossible to pass it over altogether. They had had the evidence of Captain Stirling that a commercial marine was not necessary for the maintenance of their Navy. He believed Captain Stirling was the only officer of his standing who had ventured to make such a statement. They had, on the other side, the evidence of Sir Byam Martin, of Admiral Sir Thomas Cochrane, of Captain Toup Nicolas, of the hon. and gallant Member for Gloucester, one of the Lords of the Admiralty, and of Mr. Browne, the registrar of seamen. All these gentlemen were in direct opposition to Captain Stirling. Now, he would ask the Government, had they taken up the idea that it was practicable to man the Royal Navy in the event of the present measure producing the events that were anticipated from it, without having recourse to impressment? The plan proposed by Captain Stirling was that of voluntary enlistment. He (Mr. Robinson) wished with all his heart it was practicable, because if it was so it would get rid of the system of impressment, which no one more strongly deprecated than himself, and which was most unjustly ascribed to the regulations of the shipowners, who had no more to do with it than the agricultural interest. But he was told by parties who were likely to be well informed that the plan was not at all to be depended upon in a time of distress or adversity. Captain Stirling proposed that seamen should be voluntarily enlisted; but that would involve an expense which they might be very ill prepared to meet. What would be its effect if this country were engaged in a naval war?—the commercial marine having raised the rates of wages of their seamen, the Government would be obliged to do the same, and probably in a higher proportion. He entreated of them, therefore, independently of commercial considerations, to look at this question as affecting the well-being and the safety of the country. He entreated of the noble Lord and the Government to reconsider the whole question, and he would conclude by thanking the House for the patience with which it had heard him.

MR. CLAY said, he looked upon the measure, being almost similar to that brought forward last year, if not with pleasure, at least without the slightest alarm; and he had heard nothing since that period to alter the opinion he had then expressed. He had heard, in the course of the debate, many conflicting opinions, and in the evidence he had read, like most hon. Members of that House, many contradictory statements, and a great many gross exaggerations; but he should content himself with a short statement of the reasons that induced him to vote against the second reading. He must first protest against the statement of the hon. Member for Westbury, that inasmuch as protection with respect to almost all other great interests had been abandoned, the shipping interest had no claim to it. It was the intention of the framers of the navigation laws not to afford any protection for which the public did not receive a compensating advantage. He felt utterly unable to discover whether the President of the Board of Trade did, or did not, give up the idea that the commercial marine was the nursery for the Royal Navy. If he did give up that idea as exploded nonsense, why did he still compel the British shipowners to sail with the British master and a certain proportion of English seamen? If he did retain that idea, and said that the shipowners were to perform still that national service, then, in common fairness and justice, they should be paid for that service. The present measure still required their services, but took away their pay or compensating privileges; and yet it was but a day or two ago that in that House a cheer was given to the assertion that national services should not be borne exclusively by any one party. That principle should most certainly hold good with regard to the British shipowner. If he had no other objection against the Bill, he should not, in Parliamentary usage, be justified in voting against it, as he might indulge the hope, although probably it would be a vain one, that the objection might be remedied in Committee. But he had another objection, which was much stronger—namely, that the measure was unaccompanied by any other measures which would give the shipping interest a fair chance or fair play in their competition with other countries. Disguise it as they might, they were about to subject the shipowners of that country to a severe struggle, and he thought they ought to be at least relieved of the burden of lighthouse dues—that the duty should be taken off marine insurances — and that there should be a more complete and satisfactory registration of seamen. He wished also to see the remaining duty upon timber for shipbuilding purposes altogether got rid of. Although these might appear measures of trifling importance, he believed them to be necessary in common fairness and justice. He confessed he did not understand, from the speech made by the right hon. Gentleman the Member for the University of Oxford, how he could reconcile his arguments with the vote he announced his intention of giving; for certainly no two roads proposing to arrive at the same end could differ more than the plan he proposed in the alteration of the navigation laws and that which was now under discussion. Although he (Mr. Clay) did not believe that these laws could produce anything like the injury to trade that the supporters of the present measure alleged, he yet thought that some portions of them might be so altered as to contribute materially to our national strength. He, however, did not think so badly of them as to induce him to part with them on the present terms. He should be glad to see a less hostile spirit actuating the Government in their conduct towards the interest that was so deeply involved in this kind of legislation. Last Session they had introduced a Bill relating to merchant seamen, which they were ultimately obliged to withdraw. It seemed to him that the spirit of that measure was one of a most unfair and hostile character to shipowners. He felt himself obliged to vote against the second reading of this Bill, although he believed the present laws might be amended without any danger to the country, or to the interests involved.

Mr. HORNBY confessed that since he had heard the speech of the right hon. Gentleman the Member for the University of Oxford, he felt some doubts as to the course he ought to take, because he wholly agreed in the view of the question taken by that right hon. Gentleman. The right hon. Gentleman had, however, announced his intention of voting for the second reading of this Bill. He (Mr. Hornby) could not himself see how the right hon. Gentleman could express the opinions he had done, and then vote for the second reading of the Bill. It appeared to him that the measure advocated by the right hon. Gentleman was directly opposed to that of Her Majesty's Government. He was glad to hear him confess that notwithstanding the motives that actuated him and the other supporters of the free-trade measures, there had not been a reciprocity manifested on the part of foreign Governments towards this country; and he observed that experience of the past ought to be their guide for the future. On that ground, he (Mr. Hornby) felt that he could not support the proposition before the House. He was sure that the House and the country would be surprised at the different tone of the free-trade party sitting on the Ministerial side of the House, to that of the free-trade party sitting on the opposite side. It appeared that the advocates of free trade had thrown overboard the arguments upon which they based their measure—they now repudiated the principle of reciprocity. That was the sole inducement held out to the House to adopt those measures which had now received the sanction of law. All the free-trade organs put that forward as an irresistible argument, and appealed continually to common sense in relation to this topic. Indeed, their arguments might be called common sense illustrated, for they said, "If we send vessels out with our manufactures, we must expect that other nations will send us back corn in return, and, by preventing them from doing so, we prevent them from buying our manufactures." This argument was difficult to meet, but the result now proved that it was a delusion. The free-trade organs—that with which the hon. Member for Westbury was connected being at their head—had now, however, thrown the argument overboard; they now said—"we do not want reciprocity, go on, push the principle on to its extreme, and it will not be found to answer in the end." He differed from them on that point, for he confessed that it was the only inducement he had to support their free-trade propositions. Representing as he did a large manufacturing interest, he felt particularly called upon to advocate the principle of reciprocity. The hon. Member for Westbury said that the shipping interest had arrived at an enormous state of prosperity, and he took credit for free-trade measures for producing this prosperity; but by his advocacy of the present proposition would seem to argue that the navigation laws must be repealed to lessen their promised prosperity. What also had been promised the manufacturing population? They were to have increased wages, plenty of work, and bread at half price. But what were the stern realities of the case? They had had bread a little cheaper—though it could never be at half price at any time—but as to increased work and higher wages it was all a fallacy. He saw by a document upon the table that an hon. Member of that House, a free-trader, and the chairman of a great southern railway, had recommended to his co-directors to reduce the wages of the people employed on the railway on the ground that living was cheaper. The hon. Member for Westbury now threw over his former arguments of reciprocity. He now said it was a dangerous system—that it could not be depended upon—that it was an objectionable system; and he said, "How prosperous we have been under free trade—how profitable was the enormous importation of corn in 1847—what manufactures were sent out for it, and how much has the shipping increased in consequence!" But before this was conceded to be a prosperous trade, it would be asked, what were the prices paid for corn coming in, and what was received for the manufactures going out? It would be found that there was no profit to the merchant who exported, and certainly none to the manufacturer. But if the 25 or 30 per cent duty which the Americans now levied upon all our manufactures had not been extorted, he thought the hon. Member, or at least the manufacturers themselves, would have admitted that there was something in reciprocity. The people of this country had a right to complain of being taken in. The grounds upon which he had supported the repeal of the corn laws were these: The right hon. Baronet the Member for Tamworth had made, in his opinion, an irresistible appeal to the House in regard to the famine in Ireland. The right hon. Gentleman said that he saw 4,000,000 of the people in Ireland depending upon a certain article of food for existence. He, however, saw in the distance the gaunt forms of famine and disease, and under such circumstances he asked whether it was not his duty to use timely precaution? The right hon. Gentleman also held out prospects of reciprocity. He said that the energies of the country, aided by their coal and iron, would defy competition, and their advances in such a course would be the watchword to other States to follow their example. He (Mr. Hornby) confessed that this appeal, *ad misericordiam*, had induced him to give the right hon. Baronet his vote. He was not quite sure but that those measures had been carried forward with too much haste. He now believed that these free-trade measures had had the effect of depriving the country of everything like reciprocity. The noble Lord the Secretary for Foreign Affairs, when speaking last Session upon the subject of Brazil, in alluding to the effect produced by their free-trade measures, admitted the difficulty of effecting treaties on the subject with foreign Powers. The Brazilians had formed such exaggerated notions of the benefits England was to obtain from free trade, that the noble Viscount opposite was unable to make an advantageous commercial treaty with that country. The right hon. Gentleman the Member for the University of Oxford made a similar admission as to the difficulties that stood in his way when he was in office. They had conceded every thing, and got nothing. The repeal of the navigation laws was now called for in order to render their free-trade system complete. They, however, never heard anything of the navigation laws when they were discussing the measure for the repeal of the corn laws. He, for one, was not disposed to go much further for the present. The petitions that were presented to the House upon this subject were all against the proposition of the Government. The hon. Member for Westbury threw overboard altogether the opinions of these 26,000 petitioners, because they were opposed to the present measure. But if they had expressed themselves in favour of it, they would be considered by the Government as a most important expression of public opinion. He regretted that the opinions of naval men were not more generally taken as to the support given to the Navy by the merchant service. One naval officer, Captain Stirling, was examined before the Committee, and he stated that in respect to two ships with which he had been connected, namely, the *Howe* and the *Indus*, there were 102 of the seamen who had been in the merchant service, and 76 who had not been in it. He, however, added that he believed there were not 1,000 men in the Navy who had been in the merchant service, and that neither at present nor prospectively could the merchant service be looked at as a means of supplying the Navy. ["Hear, hear!"] Yes, but this gallant officer had distinctly contradicted himself when he spoke of the *Indus* and the *Howe*. Sir Thomas Byam Martin, who was examined, confidently asserted that to the mercantile service everything was due, and he believed that the Navy could not exist without it. Sir Thomas Cochrane said, that the Navy depended much upon the merchant service. Captain Berkeley, M.P., and one of the Lords of the Admiralty, gave a similar opinion. Lieutenant J. H. Browne, the registrar of seamen, said that the merchant service was the surest foundation of our naval power, and he thought that about one-half of the men serving in the Navy were taken from that service. The argument respecting the benefit that would be given to the consumer in the reduced freight of sugar and other articles was easily disposed of. Supposing the freight of a ton of sugar at present was about 3*l.*, the reduction of one-fourth would be the twelfth part of a penny in the pound, which reduction, however small, would not even go into the pockets of the consumer. They could not, therefore, benefit the consumer in this way, nor increase the consumption of the article. They would, in fact, be giving an advantage to the foreign shipper, to the prejudice of their own. If they were so anxious to benefit the consumer of this country, why did they not propose a reduction of the duty upon tea? They said that they could not afford such reduction. Why, then, did they talk of the benefit they were giving to the consumer? Look at the position of this country as regarded China. Why did they not even at some little risk endeavour to increase the demand for their manufactures by removing the duty upon tea? By doing so, they would, no doubt, be giving a great stimulus to this trade. He did not think that much stress could be laid upon the argument of benefiting the consumer. America had sent them an invitation. She invited this country to give this advantage to her shipping, but she declined to pledge herself to reciprocate. In 1842 they had almost an exclusive tariff. In 1846 there was an immense alteration made in it, in the great reduction of duties upon all great articles of consumption. In 1847, the President of the United States, in his Message, congratulated the Assembly on the non-realisation of their fears in regard to our Tariff of 1846; but he objected to go upon the principle of removing duty after duty. On the contrary, he said, "We are prosperous now, and we will let very well alone." What took place in 1848? In that year, Congress had no sooner met than a motion was carried for an instruction to the committee on ways and means to consider the question of the existing tariff, with a view to going back to the system of 1842. He also ridiculed the threats of Prussia of which so much had been made, and asserted that if Lord Palmerston had, like Oliver Cromwell, answered their threats by a notice, that unless they came to his terms he would interdict all Prussian vessels, the Prussian Ambassador would be quickly on his knees begging that no such thing might be done. He must confess he did not see what adequate compensation this country could gain by opening her ports to the ships of Prussia and Belgium, and the northern countries of Europe. Let those countries, in the first place, come forward and say what they are prepared to give us. There was another matter which was intimately bound up with this question—namely, the effect the repeal of the navigation laws would have upon our sailors and shipwrights. In his examination before the Committee, Captain Briggs, an American captain, said that he found no difficulty in obtaining English sailors to serve in the same ship with American sailors at lower wages. The Americans invariably adopted the temperance system, which was a great advantage, and there was little or no difficulty in inducing the English sailors to join them. There were, he added, English captains who made as good voyages out of Liverpool as any American could do, but the Americans had a character for taking better care of their cargoes. The American captains were, however, paid by commission, which was the secret of their quick and successful voyages; and surely the best remedy for these alleged faults would be a trial of the same mode of payment, and the same temperance regulations, and not a sweeping alteration of laws which all our ablest statesmen and writers had declared to be wise and beneficial. It was stated there were combinations amongst our shipwrights; but there were combinations amongst the shipwrights of America also. It was, he thought, unfair thus to attack those persons, and say that on those grounds all protection to the sailors and shipwrights—a class of men to whose skill and courage this country was in a great degree indebted for her safety and wealth —must be swept away. They were entitled to privileges and protection; at all events to fair play. If we are to open our ports to all foreign shipping, let us have some equivalent for the advantages we give by doing so. He had heard no argument in the course of the debate to induce him to vote for the second reading of the Bill. The navigation laws had been in existence for the last 200 years, and during the whole of that period the principle of them had received the approbation and sanction of every writer of eminence and every Minister of distinction in this country; and he thought, therefore, that the present attempt on the part of the Government at once to sweep them away, was fraught with considerable danger. They had been found to operate successfully for the purpose for which they were enacted; and if we were now, in consequence of additional strength, in a position to abandon any portion of the system, let us abandon it upon the principle that we must get some equivalent in return. Let concessions be made *pari passu,* and do not let us give up for nothing the all-important maritime advantages we possess. He trusted that Her Majesty's Government would reconsider the whole subject, and not upon ill-digested notions of economy, or any paltry ideas about £ *s. d.*, risk the greatness, the glory, and the safety of the country.

MR. MITCHELL would not attempt to follow the hon. Member who had just sat down into the curious explanation of the line of policy he had thought proper to adopt with regard to free trade. The hon. Gentleman voted for the total repeal of the corn laws, and now he turned round and said that he advocated free trade upon the principle of reciprocity. There was manifest inconsistency in such a course, because he (Mr. Mitchell) had never heard a free-trader yet state that his doctrine of free trade was founded upon the principle of reciprocity. The hon. Gentleman then proceeded to enlighten them upon several other points. He said that any reduction of freights which might take place if the navigation laws were repealed, would be of no benefit to the consumer. Now that was a fallacy which he (Mr. Mitchell) had hoped was exploded. He certainly did not think that any permanent reduction of freights would take place in consequence of the repeal of the navigation laws; but the slightest reduction could not fail to be beneficially felt by the consumer. Mr. G. F. Young, the great defender of the navigation laws, gave it as his opinion that freight would be reduced 25 per cent if those laws were abolished. Now he (Mr. Mitchell) would take the article of sugar. The freight of sugar from Cuba averaged 3*l.* 10*s.* per ton, consequently if they deducted 25 per cent, or 17*s.* 6*d.* from that amount, it would make a reduction in the cost of Cuba sugar of five per cent; and if such a reduction took place, it would, doubtless, be followed by larger importations of the article, and the consumer, as well as the importer, must inevitably be benefited. [Mr. HORNBY: How much per pound would the consumer save?] That was not the question. If the cost was at all reduced, it was just as important to those who consumed small quantities as those who consumed large ones, or who traded ı the article; and he was surprised to hear such a question asked by a Gentleman representing a large commercial constituency. The hon. Gentleman said—"Wait until the nations of the Baltic tell us what they are prepared to give us as an equivalent for opening our ports." Why those nations have been making concessions to us for years, and they complain—and justly complain—of our unfair treatment of their shipping, especially in the carriage of their own goods. They admit our ships into their ports with our produce, but we will not admit their vessels into our ports with theirs. He quite agreed with the right hon. Member for the University of Oxford, and the hon. Member for Hull, that all restrictions with respect to the manning of ships ought to be done away with. It was true that the wages of the seamen of Russia, Sweden, and Norway, were lower than those of ours; but if restrictions were done away with, and we admitted their seamen, the moment those countries felt the drain, they would be obliged to raise their rate of wages. With regard to the duty on timber, he was surprised to hear it brought forward as a matter of grievance. Twenty years ago the late Lord Sydenham brought forward a measure to reduce the duty on Baltic timber, and the shipowners were all up in arms against him, because they had an immense number of ships on hand which were built of timber that cost a high price, and they were afraid of the cheap-built ships beating them out of the market. He was, therefore, surprised that the duty on timber was now set forth as a grievance. He should be inclined to encourage the introduction of foreign oak for shipbuilding by all the means in his power. Since the duty had been taken off mahogany, ships were being built of that wood in this country to a very considerable extent. Although he agreed with some of the views that had been expressed by the right hon. Member for the University of Oxford, yet he feared that if the right hon. Gentleman's propositions were adopted, they would virtually defeat the object and intention of the measure before the House, inasmuch as his details were complicated, and would be productive, therefore, of great confusion. He (Mr. Mitchell) had always been of opinion that this country should retain the power of placing the same duty on the goods or vessels of foreign countries which foreign countries placed upon our goods and ships, and that power was given by this Bill—that is, it was reserved to the Queen in Council. He implored of the House to consider what they were now asked to do. They were asked to abolish the greatest monopoly that ever existed in any country in the world. In the worst of times foreign corn was admitted at some rate of duty; but the navigation laws excluded the vessels of some countries from our ports under all circumstances. It was said, that if those laws were repealed, the cheap shipping of the northern countries of Europe will come in and drive our shipping out of the coasting and Continental trades. He was quite of a contrary opinion. Although the wages of the seamen of Norway and Sweden were lower than the wages of our sailors, and nearly all the materials for shipbuilding in those countries were cheaper than in England, yet they had the worst description of trade of any ships in the world, and were utterly incapable of competing with British shipping. He would next refer to the shipping of the United States, which did in some degree enter into competition with ours. Mr. Mintern stated in his evidence with regard to the cost of building ships in America, that the iron was brought from England, and a duty of 30 per cent was paid upon it; the copper bolts were also brought from this country, and paid a duty of 5 per cent; and a duty of 20 per cent was paid upon the sail-cloths and cordage, which were usually imported from Holland and Russia. The average rate of shipwrights' wages in the United States was 10*s.* 6*d.* per day; and the cost of a 7 A ship in that way, exclusive of stores, he put down at 14*l.* per ton. Now, he (Mr. Mitchell) had been offered—at a time of considerable depression, he admitted—a British-built 12 A ship, at 14*l.* 10*s.* per ton; and when the average of the years of rating of the two ships was taken into consideration, the British-built ship would be found to be by far the cheapest. The Americans undoubtedly gave their officers and seamen higher wages than we did in this country. The captain of an American ship received six dollars a month, and 5 per cent on the freight; the mate received 8*l.* a month, which was 3*l.* a month more than the mate of English ships; and the seamen received fifteen dollars, or about 60*s.* a month, which was a high rate of wages; but then, to counterbalance that, their ships were not so well manned. The Americans carried only two and a half men to the 100 tons, where we carried five; they took advantage of mechanical aids much faster than the English. Then, again, the captain was not only a well-informed man, but he was generally a part owner—at all events he had an interest in the ship by being paid a primage upon the freight — the consequence was, that he worked about, and the utmost despatch was obtained at both ends of the voyage. Another great advantage was, that in the greater part of the American ships the temperance principle had been adopted. In these respects they beat us; but they enjoyed no other advantage. His firm opinion was, that freights would not decline as a consequence of the passing of the measure; the removal of restrictions would increase the trade of the world, and his opinion was, that until new ships had been built, freights would be higher. Undoubtedly the effect of the Bill becoming law would be to put an end to the great delay and inordinately high rates to which the British merchant was frequently subjected in foreign ports. Last September it was known in this country that we were going to have a bad crop, and orders were instantly sent out to Russia for a supply of corn. It was well known that the mail went out in eighteen days; but it took a ship three months to reach the Black Sea, and as the navigation there closed in November the shipper was obliged to put up with the English ships he found there, and consequently freights rose amazingly. During the last autumn there was a difference of between 30 and 40 per cent between the freight of English and of foreign ships. The passing of the measure would equalise freights—not, he believed, reduce them. His whole dependence in life was upon supplying the raw material for the British shipowner; if that interest suffered he must suffer also, but he believed that neither would by the repeal of the navigation laws. In his opinion, the passing of the measure would do more good than all the Reciprocity Acts which had ever become law.

MR. WAWN said, the hon. Member for Oxford University had said that since the passing of the Reciprocity Acts the shipping interest had increased; but that was a statement which was calculated to mislead the House, which the right hon. Gentleman had taken from a weekly paper of which the hon. Member for Westbury was the representative. The truth was, that there had been a great increase in the amount of general foreign tonnage. He had been elected in 1841 to destroy the corn laws, and gave his best assistance to that object, because he believed the sliding scale was the greatest curse ever inflicted upon a country. The great fault committed by the hon. Gentlemen opposite was their asking for a law to keep up rents. If they would ask for a law for revenue —if they introduced a law for imposing a moderate fixed duty on corn—it should have his support. It had been said, that now the corn laws had been abolished, the navigation laws must be repealed; but there was a great difference between the corn-grower and the shipbuilder. It was impossible to deprive the producer of corn of the natural protection he enjoyed in the freight and charges incurred upon the importation of corn; but the shipowner had not only to pay the freight and charges, but also the timber duties, which were very heavy. Nothing was ever done to favour the British shipowner. All the sympathy of that House and the country was thrown away upon the foreigner, which he considered not only unfair and unjust, but impolitic. The timber duties and marine insurance must be abolished, and the pilotage and light-dues greatly modified, before they could repeal the navigation laws with safety. Believing the measure would greatly injure the interest upon which his constituents depended, he would give it his decided opposition.

MR. C. BRUCE could assure the hon. Member who had just sat down that the agricultural interest had no desire to see, nor would they assist to put any other interest in those difficulties in which they had been involved. They utterly repudiated any argument founded upon the fable of the fox which had lost his tail. The main consideration involved in the measure propounded by Her Majesty's Government had been very little touched upon—viz., the maintenance and supremacy of the maritime power of this country. It appeared to him that all other considerations connected with the measure sank into comparative insignificance before that, which was the vital one. For anything he had yet heard during the debate, and after reading the evidence given before the Committee of the other House, it appeared to him that they were about to place that supremacy—the real power of the country—in jeopardy—that they were about to expose themselves to great danger—that they were about to run incalculable risk—to impair the strength of the country—and all for the sake of conferring upon society a scarcely appreciable benefit. He thought it incumbent upon those who introduced a measure which the proposers of it even charged with being open to such objection, not only to oppose their arguments, but also to dissipate their fears. If the question was to be decided by evidence, he considered it to be already settled. Look at the evidence given by the officers of Her Majesty's Navy. The testimony they had given was above suspicion. The only motive which could actuate them was to maintain the supremacy of that Navy which they had done so much to exalt. The universal tenor of that evidence was in favour of the maintenance of the navigation laws in order to keep up our commercial marine. Look at the evidence of that gallant Admiral Sir Byam Martin, who especially referred to the evil effects which a repeal of the navigation laws would have upon the condition of that very valuable class of men, the shipwrights of England. The gallant Admiral said, if they diverted the trade of shipbuilding to other countries, they would experience great difficulty in finding hands for our dockyards—we would find much difficulty in fitting out our ships even with the aid of the private yards. If they diminished the mercantile marine by their new system of reciprocity, how were they to man the Navy in the case of a sudden emergency? Again, Sir Thomas Cochrane, a gallant Admiral, who had been but lately in service, declared that he had no hesitation in saying that the very best men they got in the Navy were those from the mercantile marine. All that evidence proved they would incur serious risk if they consented to pass such a measure. The noble Marquess the Member for Stamford (the Marquess of Granby), in his admirable speech a few evenings since, had given the House some idea of the ruinous effects to the shipping interests of this country which might be expected to result from the passing of the present measure, when he told them that he knew cases where shipowners had suspended their orders for building ships, in the hope that if the navigation laws were repealed, they could get them constructed in foreign countries at a much smaller cost than in England. The hon. Member for Liverpool (Mr. Cardwell) the other night recapitulated certain losses which had been incurred by some of his friends under the present laws. He thought the question of loss only a secondary consideration. Losses would be incurred under any state of the law; but the loss to be incurred by the repeal of the navigation laws was as a hundred to one compared with individual loss. No doubt there were hardships suffered under these laws; but the evils could easily be removed without sweeping away the whole system, which would put in jeopardy the dearest interests of the country. The speech of his right hon. Friend the Member for the University of Oxford was, like all speeches made by him, well worthy of being listened to, and full of instruction for others. He might say, too, that, as far as that speech went, the system proposed by his right hon. Friend was, when compared with that which emanated from Her Majesty's Government, one far more to be preferred; but saying that, he must also remark that the word "reciprocity" was an excellent one, but still he should like to see, when reciprocity was proposed, that the other party had something to reciprocate; and again, he would not extend the system to any Power, if he thought that in so doing he was likely to endanger the maritime power of this country. Comparing, then, the two systems together, he said that the "reciprocity" was far superior to the "retaliatory" system—the former being that which was proposed by his right hon. Friend, the latter the proposition of the Government. He would, however, entreat of Her Majesty's Government and his right hon. Friend the late Prime Minister, and the hon. Member for Manchester, who had considerable influence in the country, to be content with what they all had done in overloading with difficulties the agricultural and industrial interests of this country—to allow some little interval at least to elapse before they applied their new system to another great interest in this country, and exposed it, as they had exposed others, to a ruinous competition. He had always been ready to acknowledge that his right hon. Friend the Member for Tamworth, in what he had done, had no other motive but the promotion of the general prosperity of the country. Sure he was that his right hon. Friend had no idea that by his measures he would have involved the agricultural interest in great distress—he would not say in ruin—because it was impossible to ruin that interest in this country. Still, he said, he intreated of the Government, and still more he intreated his right hon. Friend, who was more powerful than the Government, who was, in fact, the arbiter of the Government, not to go any further with the same description of measures, and not to involve another interest in that distress and in those difficulties which affected interests that had been dealt with in measures proposed by them, and the results of which they had not anticipated.

MR. WILLCOX said, that he, as a shipowner, regretted the intention of the Government in proposing to retain that clause of the navigation laws which compelled British shipowners to have three-fourths of their crews British seamen, because that restriction afforded a peg for the protectionists to hang an argument upon, and to say that protection was taken away from them entirely, whilst it was still given to the mercantile marine. In his opinion, for the practical purposes of the naval and mercantile marine, it was a matter of utter indifference to those branches of employment for seamen, whether the clause was retained or not. The navigation laws always had allowed a British ship's crew to consist of one-fourth foreigners; and where, he should like to know, were the 32,000 foreign seamen who ought, if the fears of the hon. Members opposite were well founded, to have constituted the statutory fourth of the 130,000 seamen habitually employed in navigating British ships? There were not in reality 4,000 foreign seamen engaged in the British mercantile marine, and therefore for any practical purpose the House might just as well pass a law against carrying foreign coals to Newcastle, as enact that not more than one-fourth of the crew of British bottoms should be foreigners. Then, again, as to the results which protection under the navigation laws had had upon the British mercantile marine—what were they, and how had that branch of industry prospered under the protection, as it was called, which it had enjoyed? It was not necessary to look far to discover them. Let the House look at the South Sea whale fisheries. Where was that branch of occupation? It was gone. The Americans had driven the British whalers out of the field. And no wonder. A trade nursed by bounties and cradled in protection, like a ricketty child, was certain to be ruined by the indulgences afforded it. An hon. Gentleman had alluded to Spain. The Spaniards, twenty-eight years ago, had no navigation laws—they had a respectable merchant marine; but in an evil hour for herself, Spain took up the navigation laws of England, adopted them for herself, and from that hour her merchant tonnage had been diminishing, and now she had little more than half the shipping she had formerly; and as to her noble ships—her galleons—it was not a year ago that he had purchased the very last of the race, and it was now the coal hulk at Gibraltar of the English Navigation Company. Protection had ever been the bane of that which it was intended to cherish. What the British shipowners required was protection against the enormous exactions of the Trinity-house, which, under the pretence of providing for the safety of the coasts, had established a huge system of extortion. The pretext of protection was often turned into tortuous and perplexing channels. The most recent outcry that had been made on behalf of the shipowners was an appeal to the nation to protect the wooden walls of Old England. The House had not very long ago heard the same sort of cry about the British Lion and his drooping tail. But he would take the opportunity of warning the shipowners that such allusions at the best were in very bad taste, when it was attempted to make a stand upon them, and that they might rest assured the public regarded with extreme suspicion and distrust those effusions of patriotism which discovered a latent sympathy towards the breeches pocket of the patriots who uttered them.

MR. R. C. HILDYARD complained of the manner in which this measure had been introduced to the House by the right hon. Gentleman the President of the Board of Trade; for, turning round to the body guard that sat behind the Treasury benches, he said that it was impossible for the House, unless it was prepared to recede from the policy it had already adopted, to refuse its assent to this Bill. In so dealing with this question he did not think that the right hon. Gentleman treated them fairly. The measure now before them was not like the repeal of the corn laws; for if England required a greater quantity of corn than its soil could produce, and the law prevented that additional quantity being brought into the country, then so far the English agriculturists might be regarded as monopolists. So, if England required a greater quantity of sugar than their colonies could produce, then, so far as they excluded foreign sugar, the owners of the colonial lands stood in the position of monopolists; but in what sense could it be said that the shipping interest of this country was a monopoly? What was the limit of the capital that might be embarked in it? There was competition between the Tyne and the Humber, between the boats in this river, and those in the Mersey and the Clyde. How, then, could the shipping interest be called a monopoly? But, then it might be said that competition was wanted with foreigners. The navigation laws never forbade it. As to their exports, every foreign vessel was free to carry goods to any place out of this country, except to their colonies. There was nothing to prevent the American ships loading to go to the East Indies. And, then, what was the case in neutral ports? He saw that by the last accounts from Rio de Janeiro there were sixty-three English vessels seeking for freight. There, then, their English vessels came into competition with Americans, Danes, Swedes, Austrians. As regarded their reciprocity trade, had they not, he asked them, admitted into competition with themselves all those who chose to confer the same benefits upon this country which England extended to them? Was it fair, then, to create a prejudice against the shipping interest by declaring it to be a monopoly, as not entering into competition with other nations either at home or abroad? They had not only this competition, but the competition had produced its effect? They had the proof in the testimony of Mr. Josiah Wilson, a Quaker, at Sunderland — a gentleman strongly imbued with the doctrines of free trade. This gentleman was asked if there was not competition at Sunderland. His reply was—yes, there was great competition with foreigners, and that they seized upon all improvements with great avidity, and whenever they saw an improvement in the build of a ship, or in the carrying of sails, they immediately imitated it. What, he asked, would competition do more than that? Some gentlemen seemed to be persuaded that competition was the most desirable of all things. [*Cheers from the Ministerial benches.*] Then he begged to tell hon. Gentlemen there was a limit to the advantages resulting from competition. Assuming that competition ensured the utmost energy in those embarked in a trade, he believed that if they carried competition beyond that, it was an evil to those against whom it was directed; and if in this instance they carried it beyond that point, then they must of necessity supplant their own vessels with the vessels of foreigners; and so doing, they would effect that which the right hon. Gentleman the President of the Board of Trade last year said he would rather cut off his right hand than accomplish — that is, do anything which might damage the maritime strength of this country. [Mr. LABOUCHERE: Hear, hear!] The right hon. Gentleman cheered him; but he asked what became of his patriotic sentiment when he and those who acted with him were desirous to force competition beyond that point which, stimulating to the utmost the energy of Great Britain, would impair the efficiency of the commercial marine? Having made these preliminary remarks, he now addressed himself to the question before the House, and he asked why they should make so fearful an experiment, involving an enormous amount of capital? They were told that the measure was necessary in justice to the colonies. Last year the West Indies were placed in front of the battle; this year the right hon. Gentleman touched very lightly indeed upon the West Indies, and brought forward the case of Canada. He (Mr. Hildyard) admitted, however, that the Government had long given unequivocal intimations that they were most anxious to get rid of these laws. True, they had succeeded so far as the legislature of Canada was concerned, and had had a memorial presented from it; but he had yet to learn that the policy of this empire was to depend upon the view which the Canadian legislature might happen to take of the navigation laws. If the legislature of Canada chose to say, as respected themselves, "We ask for a relaxation of these laws," and made out a case for so doing, let this House legislate with reference to their grievances, but do not let them be told, because the legislature of Canada condemned the navigation laws, that therefore the Imperial Legislature was bound to defer to their opinions. But what were the reasons given by the legislature of Canada? It was stated that the Americans, by means of their better seaboard and canals, were able to compete successfully with the navigation of the St. Lawrence; and, therefore, the Canadians, through their legislature, asked that the navigation laws should be repealed. They did not state, and they could not state as a fact, for it would not be true, that, owing to the exclusion of foreign competition, vessels were plying at

Montreal demanding higher freights than the foreigner, under the monopoly of the navigation laws. That was not what they contended—they contended that competition of another sort was taking vessels up the St. Lawrence; in fact, they had too much competition already, and yet they asked for further competition, as if other vessels would go where those who had the exclusive monopoly could not now obtain a freight. But this was not an argument upon which the House could legislate, even as to Canada, much less with reference to all other colonies. His hon. Friend the Member for Liverpool (Mr. Cardwell) brought before the House, with great solemnity, the case of a friend of his who had sent Canadian corn to this country in an American vessel; and, as he understood the argument of his hon. Friend, it was matter of complaint that the corn, being brought in an American vessel, could not be entered for consumption in this country. What did this amount to? Why, simply that the hon. Gentleman's correspondent in Liverpool made a blunder of bringing Canadian corn in an American, instead of a British, vessel; and that was the whole grievance. If the gentleman had chosen to put his corn into a British vessel, there would have been no obstacle to its introduction here. Well, so much for the case of Canada. He would now come to the West Indies. Last year, the right hon. Gentleman opposite placed his reliance upon a memorial from the legislature of Jamaica. It appeared, however, that every memorial which emanated from the legislature of Jamaica ought to go through the form of a regular previous inquiry; but the memorial upon which the right hon. Gentleman relied, strong as was its language, turned out not to have passed through that regular course of inquiry. Only a night or two before the legislature broke up, that memorial was hurried through the house without the usual forms, and was immediately despatched home to be relied upon by the Government in support of the present measure. What were the facts to show that it was not the intention of the Jamaica legislature that that memorial should be relied upon as it had been by the right hon. Gentleman? Only three months before there was an inquiry, a very long inquiry, and a memorial was founded upon it. The grievances of Jamaica were stated *seriatim* by the evidence in that memorial, but not one word did it contain upon the subject of the navigation laws. Nine months afterwards there was a second memorial, founded also on the previous inquiry; and there, again, they enumerated their grievances most minutely, but never mentioned the navigation laws as one of them. He was convinced, however, that if the right hon. Gentleman had known the history of the memorial to which he had referred, as it had been elucidated by the Committee of the House of Lords, he would never have relied upon it here. The evidence given before the Committee of the House of Lords also showed, that as soon as the West Indies were apprised that the relaxation of the navigation laws was not to extend to them alone, but was to be extended generally, they saw at once that instead of being a boon, it would be an evil, because Cuba would gain the benefit of competition upon their heavier freight, and that, consequently, so far from assisting the West Indies, it would be putting their great rivals in a better condition than they would be in themselves. Yet, the House was to be told that in justice to the West Indies they were to repeal the navigation laws! Now, with reference to the long voyage, the House would probably allow him to present to it a view which he did not think had been yet touched upon in this debate. He admitted that it was stated in the evidence, with respect to some of the protective voyages, and copper from Peru was particularly mentioned, that the homeward freight, in consequence of the absence of competition, was sometimes 1*l.* or 2*l.* more than if there were competition. This had been contradicted; but assuming it to be the fact, let him ask the House to consider what was the effect of it. He would put the case of a shipowner going to his broker, and asking for a freight. The broker offered him two, one to the coast of Peru, whence he would have a protective voyage homeward; and another to Odessa, whence, on the homeward voyage, he would come into competition with the cheapest-built ships in the world, the Russo-Danish. How would the shipowner entitle himself to the protective freight home—to the 1*l.* or 2*l.* upon the copper coming the protective voyage? Why, by taking out a very low freight to Peru. What he would gain in the protective freight home must be compensated for by taking out a freight at a very low rate. What were the goods which would be taken out? Why, goods manufactured in this country. So that it was the manufacturer practically that would get the benefit of the low freight out. And who was it that would pay the higher rate of freight home? He denied that it would fall upon the consumer; and he might call in aid the arguments of hon. Gentlemen themselves to show that it would not do so. If the consumer paid it, what became of the argument that, in justice to the colonies, they were to introduce competition? Justice to the colonies implied that whatever was saved in freight was to go into the pockets of the colonial landowner. He did not deny, if they laid an excessive duty upon any article of impost, that that to a great extent would fall upon the consumer, because that excessive duty would diminish the supply, and consequently enhance the price; but if the duty were so small as to increase the supply, if it did not increase the demand, the benefit must result to the foreign producer. And here was the error of their recent commercial policy. He believed that moderate import duties on all articles of consumption would, to a great extent, if not altogether, come out of the pocket of the foreign producer, and would not enhance the price to the consumer at all. That, too, though it was digressing from the question before the House, he thought was a growing opinion in the country, and he believed that some such system they must very shortly adopt. The right hon. Gentleman the Member for the University of Oxford frankly admitted that protection and not free trade was the only safe principle on which we could deal with the people of America, and that if they got all we could give them, they would give us nothing in return. But had not this country a right to complain of the mode in which the negotiation with the United States had been carried out? The proposition of Mr. Bancroft had been laid before the House with great parade, and it amounted to this, that America would give much, if much were given; little, if little were given; and nothing, if nothing were given. Last year, hon. Members said that we had no assurance that the offer would be carried into effect, if we began by destroying the navigation laws; and it was asked, "Why has not the American Government been told to imitate our example, and proceed, *pari passu* with ourselves, in passing a Bill through their Legislature?" He did not mean to impute that the vote would not be carried into effect under these circumstances; but what was the state of the case? Suppose the Ambassador of this country made a proposition of this sort, the right hon. Gentleman must know there would be great difficulty experienced in carrying it out. First, to every treaty, two-thirds of the Senate must be a consenting party; but if that treaty went to abrogate the law of the land, they must have the assent of the legislature of the country. Then, he asked the House, did they believe, after the experience they had just had of a severe contest in America, which was based upon the question of free trade, or a protective tariff, and when there was a decided and overwhelming majority in favour of the candidate who professed protective principles, that if this House and Legislature were foolish enough to pass the measure now under discussion, and such a Bill as this were introduced into the Legislature of the United States, that it would not be thrown out? Then they were told of threats of retaliation emanating from the northern States of Europe. But who would believe that Russia, for instance, pre-eminent as she was for the sagacity of her counsels, would adopt any such course as that? She already enjoyed reciprocity, so far as regarded the direct trade, and all she could get, therefore, would be an indirect trade; and who could believe that Russia would be so infatuated as to commence a retaliatory trade with us? Why, no less than 1,500,000 cwt. of tallow was imported into this country from Russia in the last year; and if a system of retaliation were adopted by her, she would reduce to beggary one half of her people, and the empire itself be shaken to its foundation. It was not idle, therefore, but positively mischievous, to suggest threats from those northern States when they had shown no disposition to make them. He came now to the inconsistency in the Bill with reference to the coasting trade, and he thought if there were any chance of America giving to us everything we gave to her, the exception in the Bill on behalf of the coasting trade to the extent to which it was an exception, was most injudicious. First, the right hon. Gentleman frankly said that he did not believe that any foreigner could compete with us in the coasting trade, and that a State so distant as America was the least likely to be able to do so. No doubt the coast of England was a difficult and a dangerous one, and he (Mr. Hildyard) agreed that there was not a chance of America competing with us in that trade. But was the coasting trade of America of no importance to us? It appeared by a very important document that had been submitted to the Legislature of the United States by a committee upon harbours and rivers in the autumn of last year, that no less than eight States were mainly dependent upon the seven great lakes for their commercial intercourse; that the line of coast of these eight States was not less than 3,000 miles; that in 1841 the tonnage upon the seven lakes was 56,000; and that in 1846 it had increased to nearly double that amount—namely, to 106,000. We could not shut our eyes to the fact that America was making the most rapid advances, and that what had happened in the last five years might take place in the next five years, and the increase go on for generations yet to come. Thirty-six years ago 7,000 tons a year were carried on the Mississippi; there were now 550,000 tons; whilst upon the Mississippi and its tributaries fourteen States were dependent for the means of commercial intercourse, and a population of 6,500,000. He had only so far spoken of the lakes and the Mississippi and its tributaries; but the seaboard from Maine to the southward extremity of the Union, was infinitely more valuable still. And he did think, having reference to the increase of that great empire, it was of importance, if concessions were to be made by the Americans, that we should participate in their coasting trade. By the miserable exception made in the measure under consideration, however, even assuming that the Americans were ready to do what we were told they would do, we gave them the opportunity of withdrawing from us that extensive trade. The right hon. Gentleman the President of the Board of Trade said he was unwilling to excite unnecessary alarm, but he displayed no apprehensions of exciting alarm when he proposed to throw open the colonial trade and the long-voyage trade to foreign competition. It was of very great importance, if concessions were to be made, that we should participate in the coasting trade of the United States. Yet by the miserable exception which had been made by the right hon. Gentleman, we gave to the Americans the power of withdrawing from us now and prospectively that important coasting trade. The hon. and learned Gentleman concluded by calling upon the House to pause before, upon such slight evidence as was before them, they proceeded to make one of the most important alterations to which the commercial policy of this country had ever been subjected.

MR. RICARDO said, the reciprocity of the hon. Gentleman who had just sat down was of that extreme nature adopted by the right hon. Gentleman the Member for Stamford, and was embodied in the maxim put forth to the world before the debate was adjourned the other night. On that occasion, the right hon. Gentleman said, "Hold what you can, and concede what you must." The hon. Gentleman, believing that Russia could force us to concede nothing, advised us to retain all the prohibitions and restrictions we could, so far as Russia was concerned. He remarked that Russia had no ships, and therefore would be obliged to use ours; that we must not admit the ships of Russia because Russia could not do without us. But he (Mr. Ricardo) was somewhat more surprised that the right hon. Gentleman the Member for the University of Oxford, after having clearly demonstrated, with the ability with which he demonstrated everything he took in hand, the mischief and inconvenience of the navigation laws, should turn round and say that the abrogation of this mischief and inconvenience should be conditional on the abrogation of them by other nations; that he should acknowledge the impolicy and bad operation of the navigation laws, but refuse to alter them unless other nations consented to do so previously. The right hon. Gentleman, in allusion to something that had fallen from the hon. Member for Westbury, remarked that shipping was not to be guided by the same rules as other commodities. He (Mr. Ricardo) could not see any difference. The right hon. Gentleman had supported the commercial policy of the right hon. Baronet the Member for Tamworth with respect to the repeal of the corn laws, and the admission of foreign sugar; and he (Mr. Ricardo) could not understand upon what principle the right hon. Gentleman hesitated to advocate a similar measure on the present occasion. If the right hon. Gentleman supported the former measures without any guarantee of reciprocity from other countries, why refuse to do the same in the case of shipping? But the right hon. Gentleman surprised him the more, because he based his whole argument for free trade on the doctrine laid down by the right hon. Baronet the Member for Tamworth, namely, that it was advisable for this country to buy cheaply whether other countries choose to buy cheaply or no, this being a question as to whether it was advisable to carry cheaply or no. When the House went into Committee, he (Mr. Ricardo) should then take an opportunity of discussing the points raised with respect to the coasting trade. He had watched this debate very closely, and had been surprised to find that no new argument had been brought forward; all the old fallacies about the cheapness of foreign ships had been disinterred. In spite of the answer which had been given over and over again to hon. Gentlemen, they would persist in saying that an American ship was built cheaper than an English ship. We had every element of shipbuilding cheaper than the Americans; iron, copper, timber, sail-cloth, and wages, one-third cheaper than in the United States; and it was a matter of mathematical demonstration that with every article which constituted a ship cheaper, the ship itself must be more economically constructed. It might be recollected that a Committee was moved for in another place, on the pretext that the Committee of the House of Commons had not impartially considered the subject, and, accordingly, in the House of Lords, they undertook to throw fresh light on the subject, and teach how a Committee ought to inquire and how it ought to be impartially conducted. The first six witnesses gave extraordinary evidence. Mr. Bosanquet, a West India merchant, and shipowner also, said that he was not read in the navigation laws; he was not acquainted with the effect they would have on the local interest of the West Indies. Mr. Ellis, a merchant and shipowner, was asked if he had ever considered the navigation laws, and he said he had not; he could not answer the question whether an English ship could go to the United States, and thence to the West Indies, with an American cargo. Then came Mr. Davis, a shipowner, who, on being asked whether he had considered the way in which trade had been affected by the navigation laws, said he had never particularly attended to it; and Mr. Gower, a merchant and shipowner, said that he had never heard of the navigation laws until lately. In fact, they gave the Committee no information whatever. It was argued, however, that because those Gentlemen were ignorant of the mischief of those laws, therefore they ought not to be repealed. As well might it be argued that because a New Zealand chieftain was content to go stark naked and feed on human flesh, therefore we ought not to confer on him the blessings of civilisation. His ignorance would be no proof whatever that he was in the condition in which he ought to be. The right hon. Gentleman the Member for Stamford (Mr. Herries) had not done justice to what had fallen from him (Mr. Ricardo) on this subject; he had not said that the mercantile marine of this country was of no importance as regarded the defence of the country in time of war. There never was a monopoly in this world that did not find some advocate to proclaim that it was the mainstay of the constitution. On the question of the corn laws they had heard of the necessity of maintaining protection in order to preserve the hardy yeomanry of this country, whose ancestors had fought for and made England what it was. Corn monopoly, it was said, could alone keep up that worthy race. When the sugar question was brought forward, it was asserted that our colonies were our great mainstay in time of war, and that if they were deprived of protection in the sale of their sugar, they would not be in a position in times of difficulty to render us any assistance. And now, when this question of the navigation laws was brought under their consideration, the shipping interest came forward with the suspicious plea that the proper maintenance of our maritime defences demanded the continuance of the monopoly of the present system. He contended that our mercantile marine did not depend upon Acts of Parliament for its maintenance or prosperity; and that it was our insular position, our wants and habits, which had made us pre-eminent as a naval Power. This country was favoured with all the elements necessary for shipbuilding, and her population was naturally seafaring. If the prosperity of a mercantile marine depended upon Acts of Parliament, how was it that France and Spain, with their navigation laws far more stringent than any laws that we had, were not famed above England for their mercantile marine? Hon. Gentlemen on the Opposition side of the House had quoted the evidence of Sir Byam Martin, a very eminent officer, on this question; and what he (Mr. Ricardo) had to say in reference to that gentleman's evidence might, perhaps, shock another of the superstitions of hon. Gentlemen opposite on this subject. His opinion was, that, on questions of this nature, officers of the Royal

Navy were not the best qualified parties to give an opinion. He had never met with an admiral or officer who did not hold that our fleet and army were not large enough, and that they ought to be increased if the country was to be saved from destruction. He admitted, however, that the evidence of Sir Byam Martin and other naval officers was well worthy of attentive perusal, and that much knowledge of subjects of the greatest importance might be obtained from the perusal thereof. Amongst other facts, Sir Byam Martin stated, that when he served under Lord Hood and Lord Howe they experienced great difficulty in manning the fleet, and that the difficulty at one time was so great that they were positively obliged to send to Malta to endeavour to obtain Maltese seamen. He also stated, that, subsequently, when they endeavoured in England to man the fleet by means of pressing, in which they did not succeed, they gave as much as 12*l.* 12*s.* bounty money for able seamen, and 10*l.* 10*s.* for ordinary seamen, and 6*l.* 6*s.* for boys. In some cases as much as 31*l.* 10*s.* was given as bounty for able seamen, and yet this was the result of 200 years' continuance of the navigation laws, enacted for the purpose which they utterly failed to accomplish. The whole system of pressing men was bad. It was certainly very strange to hear some hon. Gentlemen express their alarm upon hearing of an intention to abolish the pressing system. But was there any Gentleman in his senses who believed that it was possible to have recourse again to the system of pressing men into the service of the Royal Navy? Did any body believe that there were not in that, the reformed Parliament, enough of Members ready to stand up and protest against that system? They might as well go into the factories of this country and press for soldiers as press men into the Royal Navy from the service of the mercantile marine. They had no right to rob a seaman of his own property—the property in himself; and he believed that they would never again be able to inflict upon seamen such cruelties and tyrannies as they had heretofore inflicted upon that class when attempting to recruit the strength of the Royal Navy. Their mercantile marine was of no use to them whatever, with respect to supplying men for the Royal Navy, unless they took them by force. If they would pay for men, they would get them; but if they would not pay for them, they had no right to obtain their aid except by means of moral force. And, however much hon. Gentlemen opposite might contend for the present system, he maintained that some such plan as that detailed by Sir James Stirling and Lieutenant J. H. Brown, in their evidence before the Committee, must be adopted for the manning of the Royal Navy. But how had the present system encouraged the mercantile marine in time of peace? The evidence of Captain Toup Nicolas, an officer in the Royal Navy, stated, that a few years ago he was coming from China to Valparaiso, on his way home; that he put in at Hobart Town, where he heard that it was likely that there would be some disturbance with the French at Tahiti, upon which he determined to go there. Having but an inefficient ship's company, he induced about 100 of the men to become colonists at Hobart Town, with the consent of the Governor. Accordingly, those men became colonists; and, in order to replace those 100 inefficient men, he took 100 able seamen from the merchant ships lying in the ports of Hobart Town and Sydney. That was the way in which the navigation laws encouraged the mercantile marine of this country. The right hon. Gentleman the Member for Stamford and other hon. Gentlemen who had taken part in this debate, had taunted the advocates of this measure with the assertion that there was no feeling manifested in the country on this question. They had stated that there was no excitement in the country in favour of the repeal of the navigation laws; and they pointed with singular complacency to the petitions which were upon the table in favour of the present system. Now, he thought that a reproach of that sort came with a very bad grace from that (the Opposition) side of the House. He recollected the time when the advocates of free trade were reproached with having appealed to the feelings and passions of the people, in preference to coming to that House for the purpose of calmly deliberating upon the question. He had been most anxious that there should be no agitation upon this subject. It would have been an easy thing indeed for the advocates of this measure to have gone into the seaport towns and have shown the sailors how they were, perhaps, the most ill-used and ill-treated of the working classes of this country; how they were starved to minister to the opulence of others; how a contract had been made between the shipowners and the State by which the shipowners had agreed that, in consideration of the monopoly afforded to them by the State, the Royal Navy might be at liberty to press their sailors in times of war. He thought they might have shown the sailors that they were the victims of such an arrangement; and he did not think that it would have been difficult for the advocates of this measure to have proved their case from the reports of consuls which had been laid before the House. Then it would have been very easy for them to have gone to the manufacturing towns and have shown the working classes that the greatest component part in the cost of every article of luxury of the poor man was the cost of freight, and that the price of all his luxuries was enhanced by this monopoly of the shipowners. If they had acted thus they might have been able to lay upon the table of the House petitions signed, not by thousands merely, but by tens of thousands. He thought, however, that the reproach that they had not set the employed against the employer on this question of monopoly, came with a bad grace from the hon. Gentlemen on the Opposition side of the House. There was only one other subject to which he should call the attention of the right hon. Gentleman the Member for Stamford, and that was with regard to the threat which had fallen from him. He (Mr. Ricardo) was certainly very much astonished when he heard that right hon. Member, the leader of a great party, declare that whatever might be the decision of that House—whatever might be the majority by which this measure might be adopted in that House—he congratulated himself that the Bill would be thrown out by the House of Lords. [Mr. HERRIES denied having so expressed himself.] He was delighted to find that he had misunderstood the right hon. Gentleman; but, of course, if he disavowed the expression, he (Mr. Ricardo) had no more to say upon the subject; but, at all events, the hon. Member for Poole had said it; and he must say, it was an extraordinary remark to make. He admitted that there were many points connected with this measure which might be fairly discussed when the Bill was in Committee. He agreed with hon. Gentlemen opposite on the point they had raised about an arrangement being made for freeing the shipowners from many of the burdens that had been imposed upon them. Above all things, he agreed with hon. Gentlemen opposite in thinking that the retaliatory clause could not possibly be maintained; and he agreed with hon. Gentlemen on his own side of the House that the reciprocity system that had been proposed was equally untenable.

ADMIRAL BOWLES: Sir, it is not my intention to trouble the House at any length on the present occasion. I expressed, last year, my strong objections to a measure so entirely at variance with the former policy of this country, and I have heard nothing since which induces me in the slightest degree to change the opinion I then entertained of its dangerous tendency; if I had still any remaining doubts, they would have been dispelled by the brilliant and eloquent speech of the right hon. Member for the University of Oxford, who, although unable to convince himself, has furnished us with most excellent arguments against the measure he intends to support. But, Sir, experience is worth a thousand theories; and the lapse of another year has shown us still more clearly the results of a similar experiment, tried on our West Indian colonies: the reasons alleged, and the language held, were precisely alike in both cases. I will not, again, read the sanguine predictions hazarded by the noble Lord at the head of the Government, and the right hon. Baronet the Chancellor of the Exchequer; but any Gentleman who will refer to the debate may see that all the misfortunes of our West Indian merchants were attributed to the absence of competition; and the most confident expectations were expressed, that the moment this new stimulant was applied, they would start from their lethargy and outstrip all their competitors. Alas, Sir! what has been the result of this new-fashioned practice? The medicine has, it is true, been administered in its full and potent strength; but what is the present state of the patient? Let those who are acquainted with the sufferings, and apparently irretrievable ruin of all our sugar colonies (and Her Majesty's Government cannot be wholly ignorant of them) answer this question. And now, Sir, let us pause for a moment, to ask what were our motives for that great and sudden change? We imagined, I apprehend, that we should obtain a very considerable increase of commerce and revenue, and particularly some favourable treaty with Brazil, by abolishing our differential duties, and admitting slave-grown sugar on equal terms with our own. Are not these (although on a larger and more extended scale) precisely the objects alleged in support of the proposition we are now discussing; and is it not therefore in the highest degree important and interesting to examine what have been the consequences of our former experiment? We have totally failed in all our attempts to obtain any commercial advantages from Brazil; and, what is much worse, as being injurious and discreditable to our national character, we have led other countries to believe that we are always ready to sacrifice our principles to our interests, and that all our professions with respect to the abolition of the slave trade, proved unworthy of credit, when they came into competition with any supposed pecuniary advantage; and, as always happens in such cases, we have increased our difficulties, without obtaining any corresponding advantage. We have given a stimulus to the slave trade by the admission of Brazilian sugar, which neutralises all our efforts for its suppression; and the nation is becoming discontented and impatient at the unsatisfactory result of this heavy expense. If such have been already the consequences of our first deviation from our former principles and policy, have I not just cause to deprecate a second and still more important step taken in the same direction? We have been hitherto proud, and justly proud, of our ships, our colonies, and our commerce—of our maritime strength and superiority, our widely extended possessions, and the lucrative trade which they enabled us to carry on with every quarter of the globe; but now, it appears, that these are all vulgar and antiquated prejudices—that our ships are useless lumber—that we have too many already, and ought not to build any more—that our colonies are expensive and unnecessary incumbrances—and that our commerce would prosper much more if, like our West Indian settlements, it was subjected to the stimulating process of foreign competition. This is the language of the Manchester school, and of those amateur statesmen for whose amusement and instruction these experiments are to be tried. But, Sir, is the country disposed to submit patiently to these operations? Has it sufficient confidence in these new doctors and their doctrines, to place its vital interests in their hands? Do not the numerous petitions presented from every seaport town, and from all classes of individuals concerned in our mercantile marine, prove strongly the alarm and disapprobation already excited; and can it be wise or prudent at such a moment as the present, to throw another great branch of the community into a state of consternation and anxiety? Sir, if any of our colonies, and particularly Canada, consider that in consequence of the change of circumstances any relaxation of the navigation laws would be advantageous to their interests, I am perfectly ready to assent to any local measure which, after careful examination, may be found advisable, and for which an Order in Council is not already amply sufficient; but we must first ascertain what the wishes of the great majority of the community really are, and see that we are not legislating for one class of the inhabitants to the injury of the remainder; and we shall thus be enabled to see the effect of these partial alterations before we venture on any sweeping and general changes. I will not detain the House many minutes with my concluding remarks on the naval part of the question. I can only repeat what I said last year, that our military and mercantile marines are inseparably and indissolubly united—that they must stand or fall together; and that any material diminution in the number of British seamen will infallibly place our maritime superiority in jeopardy, and produce national misfortunes and calamities of which the present generation, nurtured as they have been in peace and prosperity, can form but a very faint and imperfect idea. The supply of seamen in this country so little exceeds the demand for them, that in 1845, when it became necessary to fit out a small additional force, it took six months to man six sail of the line; and this fact, which came under my own official knowledge and observation, will, I hope, prove to all true friends to their country what risks we may run by tampering ignorantly or injudiciously with our national defences. Sir, as all the supporters of this measure, who last year appealed so triumphantly to Sir J. Stirling's evidence as decisive in their favour, have on the present occasion cautiously abstained from mentioning his name, I will not unnecessarily introduce it; but it is impossible to avoid remarking on the want of fairness and candour which was manifested by those who called him as their only naval witness, and carefully avoided asking a second opinion. I turn with pride and pleasure to that of Sir Byam Martin, an officer justly admired and looked up to by his profession; whose opinions merit the respectful attention of this House and the country; and whose relation of the dangers and difficulties which—under the system we are now endeavouring to subvert—were so successfully overcome, should be read with the deepest interest by all those on whom the nation now relies for its safety and protection, and who will incur an awful responsibility if they meddle rashly with those great bulwarks on which we have hitherto relied in the hour of danger.

Mr. H. DRUMMOND said, it would be gratifying to at least one Member of the House, if he promised the hon. Gentleman the Member for Stoke, that he would not use any of those arguments which he had described as having been disinterred from past debates. He would rather take the liberty of examining into the truth of the position, whether the naval and military officers of this country were men whose opinions were not to be attended to, on points where the honour and safety of the empire were at stake. Before he proceeded, however, to that part of the subject, he must say that when the right hon. Gentleman the Member for the University of Oxford taunted the noble Lord opposite (Lord J. Russell) and his Colleagues, with entertaining a difference of opinion on this question, it would have been as well for him to have remembered that he (Mr. Gladstone) himself had that night argued on one side, and intended to vote on the other. He believed also, without meaning to cast blame where none ought to be cast, with the hon. Gentleman the Member for Stoke, that much of the discussion had turned not upon the principle but upon the details of the measure. But he must further say, there was a reasonable excuse for that, inasmuch as the principle of the Bill was nowhere to be found in it. In its very first words it professed to be a Bill to amend a certain thing; and the way in which they proposed the emendation was, in the language of the right hon. Gentleman the Member for the University of Oxford, by abrogation. Now, really, abrogation was one of the most extraordinary means of amelioration that he had ever heard of. This measure proceeded, at one sweep, to get rid of no less than eighteen statutes. These statutes might be right or wrong; but, without entering into that question, he would say, that this wholesale proceeding was no way to treat them. The principle of the Bill was this: In all past times the object of every statesman, whatever opinions he might have held, had been to prevent capital from going out of this country, on the ground that if the capital went out of the country, the labour of the country would not be employed. The object of this Bill, however, was most ingeniously to keep the capital in the country; yet still not to employ the labour of the country, but to employ the labour of other countries. He had heard of a Satanic school of poetry—but if ever there were a Satanic school of politics, it was that which was now in vogue. It was a remarkable phenomenon in these days, that it was the fate of every statesman, no matter to what party he belonged, or from what side of the House he might come, to be doomed, on whatever question that was brought forward, to go against every principle he had previously defended, and to take the opposite side of every view that he had before maintained. So that if those who maintained the opposite view felt at a loss for arguments, they had only to refer back to former debates on the question—they had only to appeal from the drunken Philip of to-day to the sober Philip of ten years ago. They would find the best answer to the speech of the Earl Grey of the present time was to be found in some speech of Lord Howick not a long time back. They had been for some time past under an evil genius. As had been eloquently described by the hon. Member for Buckinghamshire, it would appear as if there were fates presiding, from which no Minister could liberate himself; while, as for the House, there would appear to sit a sort of myth over them which rendered them passive and helpless, while every successive Chancellor of the Exchequer pecked away at their livers *ad libitum*. But they should still recollect that there was such a thing as rushing on to a dangerous extent. They had already committed themselves too far; and here he begged to say, that he was not speaking of Her Majesty's present Government, or of any particular Government, but of all those who had advised the counsels of that House for years past. The part of the speech of the right hon. Member for the University of Oxford that he had most closely attended to, was that in which the right hon. Gentleman had told them to look to the experience of the past. But the especial error of the school under whose guidance the country now was, was that they did not recognise any past experience, or attach weight to any past opinion. He was not going to quote many authorities, which he might do, but he would refer to the authority of the most celebrated statesman of antiquity, who said—

"There is in maritime States a corruption and instability of morals, for they import not only merchandise, but morals; so that nothing can remain entire in the institutions of their country."

And he added that—

> "The vagrancy and dissipation of the citizens proceeded from their over-greediness in trade and navigation, which induced them to relinquish the cultivation of their lands."

He might quote the opinions of Lord Chatham and of Mr. Canning to a similar effect; and of late days they had an eminent writer, who, in his work on Germany, speaking of Frankfort, said, that—

> "In consequence of her commercial relations, she was so thoroughly under foreign influence, and so polluted by a mixture of all foreign manners, that her population could be hardly said to have a character of their own."

What had fitted them to be citizens of the world had unfitted them to be citizens of the country to which they belonged, for "they judged of the happiness of mankind by the rate of exchange." Now, all that was applicable to the Manchester school. The grand fault of these gentlemen was, that they could not form a conception how anything which was not good for cotton spinning could be good for anything else.

> "But," (said the same writer) "let no one blame them for forgetting, in the pursuits of the money speculator and merchant, the interest of their country, or at least before doing so, let him visit the ports of London, Liverpool, or Bristol, and discover—if he can—a purer foundation for English patriotism."

But he had one more authority for hon. Gentlemen opposite—their darling Adam Smith. The only quarrel he (Mr. Drummond) had with hon. Gentlemen with respect to Adam Smith was, that they never would read beyond one page of him. Let them attend to this:—

> "As their (the manufacturers') thoughts, however, are commonly exercised rather about the interests of their particular branch of business than about that of society, their judgment, even when given with the greatest candour (which it has not been on every occasion) is much more to be depended upon on the former than on the latter. The interest of the dealers in any particular branch of trade or manufacture is always in some respects different from or even opposite to that of the public."

And yet it was by men who were actuated by such interested motives that the House was now guided. The manufacturer sent out to Africa for cotton. He employed African labourers in its cultivation, he brought it home in an American ship, he spun it into yarn by his machinery, and then sent it in a French vessel to be exchanged for French cloth, or silks, or other articles of French manufacture. So that the whole process was gone through without the employment of perhaps a single English labourer. The poet, in the wildness of his enthusiasm, asked—

> "Lives there a man with soul so dead
> Who never to himself has said,
> This is my own, my native land?"

Yes, at Manchester there were a thousand of them. Not content with bringing accusations against the English sailors—not content with slighting the opinions of their officers—they now said that this country had a superstitious reverence for the Navy. He would not deny but that they might have such a feeling, for there was a time when they had a national faith—there was a time when they venerated—worshipped, if they would, for he was not ashamed of the word—the statesmen who guided safely the destinies of the country—when they reverenced the magistrates who presided over the administration of their laws—when they gloried in the soldiers and the sailors who maintained the greatness of the nation throughout the world—when the noblest credo that they had was "Rule Britannia!" and when the finest anthem in their ritual was "God save the Queen!"

Mr. LABOUCHERE said, that he was not at all disposed to give his support to this measure on the grounds which the hon. Gentleman imputed to that (the Ministerial) side of the House. On the contrary, if he were not able to argue the necessity of the measure on British grounds alone—if he were not able to prove that it would tend to the promotion of British interests, and especially of that great branch of their trade that was more immediately concerned—the British mercantile marine—that even were the most solemn reasons urged in its favour, he should not give it his support on any other grounds. He had so often and so recently addressed the House on this question, that it was, he assured them, with sincere reluctance that he again trespassed on their time, especially at that late hour; but so many references had been made to him during the discussion, that he knew the House would for a short time extend to him that indulgence which the necessity of discharging his public duty alone induced him to ask for. He should confine himself as much as possible to the principle of the measure, avoiding those details that might be more properly considered in Committee. The question before the House was, he conceived, simply the principle of the present Bill; and that principle, he apprehended, was the virtual abandonment of the system of restriction as applied to the navigation of this country. The magnitude of that question he had never attempted to conceal; but he thought that he had a right to ask for the vote of every hon. Gentleman who thought that that principle ought to be adopted, no matter how they might differ as to the details. Many of these details were undoubtedly of great importance, such as those relating to the manning of ships, and the registry of ships; and each of those questions would, he hoped, receive, as they deserved, the most attentive consideration when the Bill got into Committee. Though he had, in connexion with his Colleagues, given the greatest attention and consideration to these details, still he had not the presumption to suppose that in the discussion upon them in Committee, many important alterations and amendments might not be introduced; and while he adhered to the principle of the Bill—the abrogation of the system of restriction—he felt that he was at the same time justified in expressing his willingness to receive any suggestions that might be offered with regard to the details. The consideration of this principle necessarily brought him to the question of what were the main restrictions imposed by the present navigation laws; or, to adopt a phrase which the right hon. Gentleman the Member for Stamford had rendered familiar to the House, what were the fundamental principles on which the navigation laws were based. He had always adhered to the opinion that these restrictions were mainly of three kinds—namely, those that applied to the colonial trade, the restrictions adopted in order to secure the carrying trade, and those intended to secure the long-voyage trade. The more that he considered this subject, the more was he satisfied that the time had arrived when, for the sake of the general interests of this country, and, above all, for the sake of the commercial interest itself, it became absolutely necessary that they should sift these principles, not merely with a view to their modification, but to their entire abrogation. Commencing with the colonial interests, he had to express, in common with other hon. Members, his great astonishment at the slighting manner in which the right hon. Gentleman the Member for Stamford had treated the appeals that had been made to them from all parts of their colonial possessions for a relaxation of these laws. It was not surprising, *à priori*, that these appeals should be made after the House had already abolished the protection that the colonies had formerly enjoyed. The right hon. Gentleman had made very light of the case of Canada, and had overlooked the fact of which he had been reminded, that in no single instance was there found a person petitioning for the continuance of the navigation laws, without the addition of a prayer for the restoration of the old system of protection. The right hon. Gentleman also passed over altogether the important consideration that the legislature of Canada had, by a majority of forty-nine to fourteen, in the most urgent terms, impressed on this country the necessity of departing from the principle of the navigation laws; and, be it observed, that the fourteen dissentients did not ask for a retention of the navigation laws alone, but for such retention coupled with a restoration of the system of protection. The right hon. Gentleman had gone on to say that the object of the colonists could be attained by making Montreal a free port, and he had quoted a despatch from the Earl of Elgin in support of that view. But the right hon. Gentleman altogether forbore alluding to the circumstances under which the Earl of Elgin had made that assertion. Lord Elgin's despatch was written at a time when the navigation laws were suspended, and when the ships of all nations were allowed to proceed from the mouth of the St. Lawrence to this country. The only difficulty that remained was with regard to the transit from Montreal to the mouth of the river, and Lord Elgin was quite right in maintaining that this remaining difficulty would be removed by making Montreal a free port. But the moment the main grievance was restored, that arrangement would at once become insufficient. [Mr. HERRIES: Read the last part of the despatch, and you will see that this is not Lord Elgin's opinion.] He had been referring to a preceding portion of the despatch, where the question of making Montreal a free port was distinctly alluded to. The right hon. Gentleman had next adverted to the case of the West Indies. Now, there was a name among the governors of the West India Islands that he had often heard quoted with great respect by hon. Gentlemen opposite, and he believed it would be impossible to mention that name in higher terms than it deserved—he alluded to Lord Harris, whose sagacity and intelligence hon. Gentlemen had so often referred to. But it happened that no colonial governor had impressed on Her Majesty's Government oftener or more strongly than Lord Harris the necessity of abrogating the navigation laws. The House would recollect the manner in which Lord Harris had entered upon this subject in his despatches laid before Parliament last Session; and within the last few days another despatch had been received from him, but so recently that it could not yet be laid before the House, in which he stated that it was of the utmost importance to Trinidad to have a direct communication with the Spanish Main—that the chief harbour or port of Spain was exceedingly well suited to what he called the nucleus of the shipping of Trinidad—that a company had been established to carry on a connexion by means of steam vessels between that port and the main land, but that the vessels, although sailing under the Mexican flag, were notoriously and manifestly American-built vessels, and that it would be of the utmost consequence to Trinidad if he could hold out encouragement to that company, which he could not do as long as the navigation laws were continued. Such a matter as this might be of small importance, but it was by the total amount of these trifling matters that they were to judge of the injurious effects of the restrictions which existed, and which prevented the colonies from availing themselves of those commercial advantages which many of them possessed in so eminent a degree. It was quite true that from some of their colonies in the eastern hemisphere there had been no great amount of complaint as yet; but when the House recollected the vast interest which Australia and New Zealand had in having low freights, from the bulky nature of their principal exports, such as minerals, corn, and wool, they could not doubt but that complaints would come at no distant period from these colonies also, if the present restrictions were continued. With regard to the other two branches of restrictions, those by which they endeavoured to secure the carrying trade and the long-voyage trade, he should occupy the House but for a very few moments. He thought it was too much taken for granted by hon. Gentlemen opposite that this country was a free agent to adopt any course that it pleased—that other nations would not retaliate—and that they might very well remain as they were. But there was no Gentleman who had looked through the correspondence with foreign States which had been laid on the table of the House, but must see that this was a complete delusion; that foreign nations would not long consent to treat with this country upon such unequal terms. Hon. Gentlemen seemed to think nothing of the shipping of such countries as Russia and Austria. One hon. Gentleman said that such was the interest of Russia to secure the shipping of England, that their Government would not dare to retaliate by laying restrictions upon our mercantile marine. But he believed it was very unsafe to indulge in such reasoning. He believed that nations, like individuals, were acted upon through their passions and their sentiments, as well as through their self-interest; and therefore it was not safe for them, relying upon the power of their mercantile marine, and the value of their ships to Russia, to hold such language to that country or Austria. But above all things he had heard the language of the right hon. Gentleman the Member for Stamford with great astonishment. He had referred to the case of Belgium, and pronounced a glowing eulogium upon the Government, because it did that which was the duty of a government—protected its own subjects, and refused to deal with this country on terms which were supposed to put its own subjects to disadvantage. But if the advice of the right hon. Gentleman were taken—if other countries were to follow this example which Belgium had set—what would become of the long voyage and of the carrying trade? With regard to the long voyage, he was ready to acknowledge that it was for the interest of a country like England to fetch the important articles which were the produce of Asia or America from their original sources; and that, therefore, the clause in the measure relating to this question would be nearly inoperative, because in nineteen cases out of twenty an English ship would not go to Havre for cotton, but Charleston; neither would they go to Hamburgh for sugar, but to Cuba or Jamaica. But admitting this to be so, what was the use of the present enactment? And be it observed, that a twentieth case would every now and then occur, when it might be worth the while of an English ship to go to a European port for these articles, instead of going on the long voyage. Occasional and special circumstances would continually arise when it would be worth the while of an English ship to go to a European port for wool or for cochineal. And let the House observe how, if this course were imitated by foreign countries, it would militate against our interest. It was certainly for the interest of this country that foreign ships should come to London, or Liverpool, or Hull, for American or Asiatic produce, instead of going to the original sources of supply; and yet by the present system they were depriving Great Britain—if her example should be imitated—of the advantage of becoming the depôt of the world, without conferring upon her any countervailing advantage whatever. Of all the evils which hon. Gentlemen had conjured up as likely to result from this Bill, he believed that the most baseless and unfounded was the fear that the shipbuilding interest would suffer. He believed, that if they could not build ships in this country, they could not succeed in any enterprise whatever. It would be far more easy to prove that this country was not capable of manufacturing cotton, so as to compete with other countries, than that England could not engage in the most open competition in the trade of shipbuilding. Many topics might be resorted to to make out an *à priori* argument against the cotton manufactures. The customs duty on timber, the excise duty on bricks that were required for the building, the necessity of importing the raw material from another part of the world—all these topics, if the actual case did not suggest an answer, might be adduced to show that England could not compete with America in the manufacture of cotton. But with regard to shipbuilding, he could not imagine any ground for apprehension. They had in this country the greatest stores of timber of any country in the world. He believed that, with regard to the increase of cost on the building of ships caused by customs duties, there was no country in the world which was so well off as England. The right hon. Gentloman the Member for the University of Oxford had pressed the Government to remit the timber duties, with a view to place the shipbuilder in a position that would enable him freely to compete with the foreigner. He could assure the right hon. Gentleman that he would be as glad as he could be to see the timber duties wholly repealed. He believed that such a measure would be useful, not to the shipping interest alone, but to the community at large. But he would say, that if the Government were unwilling in the present condition of the revenue to give up this portion of the customs duties, that formed no ground whatever for the postponement or delay, much less for the defeat of this measure. He had stated on a former occasion the cost of iron in Prussia. He had since looked more narrowly into the question, and he found that a commercial deputation lately met at Frankfort, where it was stated, that in the case of a Prussian ship built at Stettin, the duty on the iron employed in her construction augmented the cost of building the ship 9 per cent. Now, compare this with the customs duties on timber in this country, which were estimated by Mr. Wigram at not more than 3*s.* 6*d.* per ton. He did not wish to go into the details of the present measure; at the same time some things had been said in the course of the debate which he felt it would be hardly respectful to those who made the suggestions, or to the House, if he passed them over altogether in silence. The right hon. Member for the University of Oxford, though he had gone generally in support of the Bill, and had expressed an intention to vote for the second reading, stated, that he took a different view from the Government upon one important question. The right hon. Gentleman stated, that the right source for them to adopt was to imitate the example of Mr. Huskisson when he brought forward his reciprocity measures, and to adopt a system of conditional legislation—that was to say, to act upon the principles of strict reciprocity. He (Mr. Labouchere) confessed, he should regret if the House were to adopt the system of the right hon. Gentleman. The more he considered the subject, the more he was convinced that they would take a very shortsighted and erroneous view of the question if they were to follow that course. He must deny that the right hon. Gentleman had any right to quote the example of Mr. Huskisson in asking the Government to follow that course. For, it would be found that the example of Mr. Huskisson told in a precisely opposite direction, and that he (Mr. Labouchere) was entitled to claim the authority of Mr. Huskisson as supporting the course he had recommended to the House. It was true that Mr. Huskisson had entered into the reciprocity duties with different notions touching their equality; but was that all he did? Quite the contrary. There were very large branches of commerce which he, for the first time, absolutely threw open; the plan he pursued was exactly the course the Government were now taking—namely, to reserve to the Crown the right of retaliation, not to be necessarily exercised, but still reserving the right, in order that, in extreme cases and when the interests of the country required it, it might be exerted. Mr. Huskisson took off the prohibition relative to the importation of goods from Germany; he relaxed the laws affecting the carrying trade; and he opened the trade of the colonies to the extent it was now open; but, notwithstanding all this, he at the same time introduced the principle of retaliation. He (Mr. Labouchere) had therefore proved that the right hon. Gentleman was not correct in quoting the great authority in question; but this was far from being the only objection he entertained to the course that the right hon. Gentleman had suggested. He altogether objected to the system which would make a foreigner the legislator of this country, because he believed it was not our interest to make our commercial restrictions and intercourse dependent on the will and pleasure of other countries. He believed that the system might be available in the case of the United States, but he thought it would be altogether impracticable in a country like England, with complicated interests, and an immense colonial empire with versatile and different interests. The right hon. Gentleman said there might be some difficulty in his system with regard to the colonies, but that he believed that upon the whole the principles would work well, even as regarded the colonial trade. Now, take the case of Trinidad as an example. It was said that it was very important that Trinidad should open a direct intercourse with France and Spain. Now those were just the countries least likely to share in our colonial trade. Would any one contend that it was for the interests of Trinidad and this country that because France and Spain held a narrow policy in regard to their limited colonial possessions, we should apply the same, and injure ours? But he thought the right hon. Gentleman started upon an erroneous foundation. We did not stand upon the same ground as regarded our colonies that other countries did to theirs. We had abrogated the system of protection—they had not. They maintained high differential duties in favour of their colonial produce—we did not; therefore, he submitted, the argument of the right hon. Gentleman did not apply. He would further ask the right hon. Gentleman to bear in mind that retaliation did not by any construction mean reciprocity. He quite agreed with him that it was most desirable for this country, when it admitted competition with our ships, to adopt a course which might induce foreign States to deal with equal liberality towards us. He believed great advantages would flow not merely to us but to the whole civilised world if that liberal policy were to be acted upon; but he was very doubtful indeed if the course pursued by the right hon. Gentleman would lead to that result. He believed that it was safer and better not to act upon a narrow and selfish policy, but to show all the nations of the earth that we did not dread their competition, and that we had abundant confidence in our own system and in our own resources. He hoped the right hon. Gentleman was now convinced that retaliation did not mean reciprocity. They were two very different things. He might cite an example. Suppose the United States were to put a discriminating duty of two dollars per ton on the freight of British ships as distinguished from American ships — undoubtedly we could obtain reciprocity by a retaliatory corresponding duty. But suppose America put on an additional ten per cent per ton upon goods imported by British ships, and that we did the same thing, what would be the consequence? Why, that America would have a high freight, and we should have a comparatively lower freight. The 10 per cent of America was not the same thing as the 10 per cent of England, for the former country had high tariffs, which England had not; so that we might have retaliation, but not reciprocity. The more he considered this subject, the more it appeared to him that it was most inconvenient for a country such as England to adopt a self-acting principle of this kind, which, however plausible in appearance, led to inextricable difficulties. If we acted in the manner proposed by the right hon. Gentleman, there would be the greatest possible variety of duties levied by foreign nations, and there would be nothing but uncertainty and change. The Government of any foreign country might, according to the plan of the right hon. Gentleman, by a stroke of its pen, derange our whole system. He saw that notice was given of an Amendment (though he must own he could not help expressing his surprise at the quarter whence it proceeded) which would bring forward the whole question involved in the recommendation of the right hon. Gentleman, and he would not therefore longer dwell upon this part of the question; but there were one or two other points upon which he was anxious to say a word. Hon. Gentlemen opposite said, "You are bound, if you throw your navigation open, to allow the British shipowner to get his seamen from any part of the world." This objection was in fact more nominal than real. Every witness examined before the Committees of the Houses of Lords and Commons upon this question said, "There is no use in altering the present proportion of British sailors, whether that proportion was one-third or two-thirds; British sailors or foreign sailors are not a question of much consequence." Those witnesses added, what was very reasonable, that if there were any proportion of British sailors in a crew, there would be no interest to the shipowners in employing foreign sailors, as the latter would in such case demand the same wages as the former. The House would doubtless have to consider whether the mere fact of a British ship having a British owner, captain, and mate, and British colours flying at its mast head, yet manned by foreign seamen, was to be regarded in the same light with a British ship manned with a British crew. With regard to the apprenticeship system, to which the noble Marquess the Member for Stamford alluded, he did not think the present measure could have the unfavourable influence which the noble Marquess imagined. The evidence of Lieutenant Brown, the Registrar General of Seamen, who was examined before a Committee of that House, showed that whilst the number of apprentices in the mercantile marine was by law not of necessity greater than 22,000 at present, there were, in fact, 33,000—or 11,000 more than was required. Now, one word more as to the effect of this Bill upon the maritime power of this country. There had been a great deal said by hon. Gentlemen upon this most important subject. He thought no man could dispute that a great commercial navy was the only great foundation for a great military navy. To constitute a great military navy, a great commercial marine was necessary. It was true that France and Russia possessed a great military navy without a great commercial marine; but a great maritime nation like England, possessing a large military navy, was, in his opinion, insecure unless it possessed a great mercantile marine. All he could say upon this subject was, that if he believed the Bill brought in by the Government would cripple the mercantile navy of England, nothing would induce him to support it. As it was, however, a question which must necessarily be raised for discussion in the Committee, he would not say anything about it at that late hour of the night. [*Cries of* "Divide, divide!"] He would respond to the desire of hon. Gentlemen to come to a division, by saying a very few words. He was obliged to the House for having listened to him so long, and it was with the greatest reluctance he had intruded on their time; and he would now only say that he believed that it was of the utmost consequence that this question should be settled without delay. He was sure that the delay and uncertainty which now existed were having a most injurious effect on that interest which they were all desirous of serving, though they differed as to the means of doing so—the mercantile marine of this country. He was sure that the great majority of that House, however they might differ as to the means, were desirous of adopting that course relative to the great interest concerned which should be the most safe and satisfactory. He hoped that he was as much attached to British shipping and British seamen as any man; but he believed that if some alteration was not made, the colonies would be ruined, the kingdom embroiled with other countries, and the system turned against themselves. He therefore thought that they were acting as true friends to the shipping interest and to the country by looking to and endeavouring to improve those laws. Mr. Huskisson said that he did not move, with regard to those laws, until he was obliged —till he had been besought to do so by shipowners and merchants. Now, he (Mr. Labouchere) believed that the true system was not to wait, before they altered a law, until they were necessarily forced to do so. He believed that they would be acting most unwisely if, before altering these laws, they were to wait until they received complaints from their merchants embittered by impending ruin—complaints from traders strengthened by delay—and complaints from foreign Powers when they were so embittered against the system of this country as to make a settlement a matter of considerable difficulty. The various details would have to be considered in Committee. He rejoiced that it was so, and he hoped that they would all receive due deliberation. But on the principle of the measure he believed it was most important to the best interests of the country that they should come to a decision at once; and he admitted that he should be greatly disappointed if that House did not decide in its favour by a great majority.

MR. MUNTZ said, that he should not consider it seemly to occupy the House at that hour, knowing how desirous they were of dividing, if it was not for the importance of the question involved in the proposition before them. The right hon. Gentleman who had sat down had evidently himself great doubts of the result of his proposition on the prosperity of the Navy of the country. That he had those doubts the observations which he had just made showed them, coupled as they were with the provision in his Bill, that the shipowner must employ three-fourths of his crew of English seamen. Nothing could show stronger the doubts he had. Now, as he (Mr. Muntz) was going to do what was called speak one way and vote the other, perhaps the House would indulge him while he made a few remarks. The course he was about to pursue would not be called speaking one way and voting the other, if hon. Members would learn to separate questions. He considered that what they had to determine was, whether they should stand as they were, or whether they should repeal the navigation laws. Now the questions were quite distinct, whether it was just to other interests which were unprotected, to maintain the laws as they now stood, or whether it was just to the shipowners to repeal them. No doubt the repeal of those laws would have the effect of lowering profits and lowering freights; but he would ask, where was the economy of the alteration? Who would be the gainer? Who had been the gainers by the repeal of any protective laws? The repeal of these laws was, in fact, only taking the profits from English shipowners and giving them to others—as had been the effect in other cases. They had yet to learn that these alterations did not effect national savings; but, though he did not believe this would be so, taking the best view of it, he would give his vote as he was invited by the right hon. Gentleman in favour of a repeal of the navigation laws. [*Laughter.*] He never heard such laughter but it made him think of what Goldsmith said—

> "And the loud laugh which spake the vacant mind."

He would show then that there had not been any repeal of protective laws which had enriched the nation, but all that had been done had been to enrich one class of the community at the expense of another. He admitted, however, that in many cases he thought that was but right. In this instance it would only be another change of property; but the repeal of these laws would have this advantage, and he hailed it as a great advantage, that, as they had been the excuse set up for the failure of one-eyed free trade, the excuse would be taken away. He thought it, indeed, no small matter to get rid of the excuse. Well, for the last two years, whenever they had talked of the want of success of the principles of free trade, they were told that they had not yet got free trade—let them get rid of the navigation laws before they decided on the success of the measure. Now, he would help them to get rid of those laws, so that they should have no excuse for free trade not succeeding. He had hoped there would have been some reduction in the pressure on the country, but there had been none. There had been no great reduction in the price of living, but there had been a reduction of profits of trade and of labour throughout the country. [An Hon. MEMBER: From want of money.] An hon. Member said from the want of money, but he had nothing to do with that subject now. The other evening the hon. Member for Westbury gave them a long statement; he thought little of his figures and less of his arguments; but he entirely agreed with him in one thing, and that was, that it was not just to repeal protective duties on one article, without doing so on all. He so far agreed with him as to believe that imports and exports ought all to be placed on one footing, therefore they ought all to be protected or unprotected. The hon. Member for Liverpool had said that England could compete with the rest of the world, because she had the largest capital. Now, he (Mr. Muntz) did not know whether he meant money, because, if so, he did not know that we had the largest capital in the precious metals, but the contrary. He, however, considered houses, land, and other property, capital; and if the House continued to take measures to reduce the value of those houses, land, ships, and other property, he was not sure that we should still have the largest capital even in them. ["Question!"] Well, this was the question. It was said that we had not fully got free trade, and that was the reason it did not succeed. Now, he recollected, in 1846, in the debate on the corn question, kicking up a great dust in that House, and offending many by showing that the zinc trade had been ruined here by the removal of the protection; much doubt was then thrown upon his statement, but what was the fact now? He could speak of that trade because he had been for many years a very large consumer of that article; and what was its situation now? Why, there was little or none at all made in this country, but last year they had imported 12,000 tons, the price being from 13*l.* 10*s.* to 14*l.* 10*s.* per ton, while it could not be made in England for less than 18*l.* per ton. There was an instance of the results of free trade. The other day he had made a few remarks with regard to free trade and its effects on the town which he had the honour to represent. Well, since then he had been home, and he was told that he had properly represented the position of the town. He had brought to him a highly respectable Birmingham paper, which had a large sale, in which he found an advertisement, headed "Effects of Free Trade;" and which then went on to say that John C. Aston had just imported from Germany a large collection of tools, pincers, shears, knives, scissors, &c., and although they had paid a duty of 10 per cent to the British Government, he was enabled to offer them 30 or 60 per cent less than similar articles of Birmingham and Sheffield manufacture. That he considered corroborative of his statement of the effects of free trade. [An Hon. Member: It is only a trade puff.] An hon. Member says that it is a puff, but what use could there be in a puff, stating that the advertiser could sell articles 30 or 60 per cent cheaper than the British articles, when every one requiring them knew their value as well as their advertiser? Besides, he knew the advertiser well, and believed him to be above such puffing, independent of its being of no use. He would now make a few remarks on their general position, for he believed they were every day getting out of the frying-pan into the fire, which he thought they would see when he told them that for the last twenty-five years he had been engaged in the foreign trade, and had been enabled to compete with all the other merchants, by persevering care, industry, and economy, until they had nearly all ceased to exist—and now that he had the trade almost entirely to himself, he found that it was so much reduced by foreign competition that he was going to give it up. Articles which he used to sell with a gross profit of 12 or 15 per cent now only bore 3½ to 5 per cent, and would not pay general expenses. A great deal had been said about buying in the cheapest market and selling in the dearest. Now, he should like to know which was the cheapest market. It was not because in the abstract they could effect a saving of 10 per cent that that was necessarily the cheapest market. Take the iron trade, for example, and suppose that they could buy English iron at 10*l.* per ton, and Continental iron at 9*l.* Suppose they bought Continental iron, and it left the English mines, coal, and labour unemployed, what would be the effect? They would find that all the parties formerly engaged in those trades were left unemployed, just as the zinc workers were left unemployed, and the result must be disastrous to the country. Now, he should, in such cases, call the foreign market the dearest market for the nation, however it might suit individuals. The politico-economical argument was, that if they could not sell one article as cheap as other nations, they must make something else. Now, what would be the result of that? Let them apply the case to Ireland, and if she could not sell her corn or her cattle as low as other nations could, what would be the result? Her lands must go out of cultivation, her people would be beggared, and England would have to support them. He believed by that policy, so far from England improving, that she was rapidly coming to a state of adversity and beggary. There was scarcely a production of the foreigner that they could compete with, because it was not subject to the taxation and heavy liabilities of England. The right hon. President of the Board of Trade had said that he should like to take the duty off timber, to ease the shipping interest, but the taxation of the country would not allow him. Why, that was our real difficulty: a fixed amount of revenue must be raised, whatever the consequences. He would also be glad to see that duty taken off, because he was sure that unless it were they could not compete in shipbuilding with ports in the Baltic, where the price of labour was only about one-third. In fact, the regular proportion of labour in the ports of the Baltic, and in Germany, was only one-half or one-third that of this country. Now, he contended that they could not keep up a fixed amount of revenue while they were in every way lowering, by their principles of free trade, the wages of labour and the profits of trade, pressing on an industrious class, and forcing them into a competition with labourers who were not borne down by the pressure of that taxation. The taxes were paid out of the property, produce, and labour of the country, and any reduction in their value required a larger quantity of them to pay the taxes, and increased their pressure upon the industry of the country. ["Divide, divide!"] Seeing that the House was anxious to divide, he would not detain them longer. He had to thank them for their attention, particularly considering how much his views differed from most of them, and he would conclude by saying, that when they found their land uncultivated, their trade ruined, their colonies gone, and their revenue fallen, they would find that something was wanting besides abstract principles of free trade.

Mr. SCHOLEFIELD wished to say, on behalf of the constituency he and the hon. Gentleman who had just sat down represented, that they had a considerable interest in the repeal of the navigation laws, as Birmingham carried on a very large and lucrative trade with the colonies, but which for some time past had been in a declining state. If free trade had failed, it had been because it had not been carried out to the fullest extent, or because it had not been accompanied by those changes in the monetary system which were absolutely essential. His hon. Colleague had referred to the prices of the Continent; but if the articles he spoke of could be supplied there cheaper than in this country, how did it happen that we were supplying America with them? He doubted not his constituents would be considerably benefited by the repeal of the navigation laws.

Question put. The House divided:— Ayes 266; Noes 210: Majority 56.

List of the Ayes.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Adare, Visct.
Aglionby, H. A.
Anderson, A.
Anson, hon. Col.
Anson, Visct.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagshaw, J.
Baring, rt. hn. Sir F. T.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Birch, Sir T. B.
Blackall, S. W.
Blake, M. J.
Blewitt, R. J.
Bouverie, hon. E. P.
Boyle, hon. Col.
Bright, J.
Brockman, E. D.
Brotherton, J.
Brown, H.
Brown, W.
Browne, R. D.
Bruce, Lord E.
Bulkeley, Sir R. B. W.
Bunbury, E. H.
Callaghan, D.
Campbell, hon. W. F.
Cardwell, E.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Chaplin, W. J.
Charteris, hon. F.
Childers, J. W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Cobden, R.
Cockburn, A. J. E.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Collins, W.
Corry, rt. hon. H. L.
Cowan, C.
Cowper, hon. W. F.
Craig, W. G.
Crowder, R. B.
Currie, H.
Currie, R.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Devereux, J. T.
D'Eyncourt, rt. hn. C. T.
Divett, E.
Douglas, Sir C. E.
Drumlanrig, Visct.
Duff, G. S.
Duncan, Visct.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Ellice, rt. hon. E.
Elliot, hon. J. E.
Enfield, Visct.
Estcourt, J. B.
Evans, W.
Ewart, W.
Fagan, W.
Fergus, J.
Ferguson, Col.
FitzPatrick, rt. hon. J.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fox, R. M.
Fox, W. J.
Freestun, Col.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Goulburn, rt hon. H.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, J.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Guest, Sir J.
Haggitt, F. R.
Hallyburton, Lord J. F.
Hanmer, Sir J.
Harcourt, G. G.
Hardcastle, J. A.
Harris, R.
Hastie, A.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, rt. hon. W. G.
Headlam, T. E.
Heald, J.
Heneage, G. H. W.
Heneage, E.
Henry, A.
Herbert, rt. hon. S.
Hervey, Lord A.
Heyworth, L.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Hodges, T. T.
Hogg, Sir J. W.
Hollond, R.
Hope, H. T.
Horsman, E.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, hon. E. G. G.
Howard, Sir R.
Hume, J.
Hutt, W.
Jackson, W.
Jermyn, Earl
Jervis, Sir J.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
King, hon. P. J. L.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennard, T. B.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Littleton, hon, E. R.
Loch, J.
Locke, J.
Lushington, C.
M'Cullagh, W. T.
M'Gregor, J.
Maitland, T.
Marshall, J. G.
Marshall, W.
Martin, J.
Martin, C. W.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Monsell, W.
Morgan, H. K. G.
Morison, Sir W.
Morris, D.
Mostyn, hon. E. M. L.
Mowatt, F.
Muntz, G. F.
Norreys, Lord
Norreys, Sir D. J.
Nugent, Lord
O'Brien, T.
O'Connell, J.
O'Connell, M. J.
O'Connor, F.
Ogle, S. C. H.
Ord, W.

Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Pakington, Sir J.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Peel, rt, hon. Sir R.
Peel, Col.
Peel, F.
Perfect, R.
Peto, S. M.
Philips, Sir G. R.
Pigott, F.
Pilkington, J.
Pinney, W.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Roche, E. B.
Romilly, Sir J.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Rutherfurd, A.
Salwey, Col.
Sandars, G.
Scholefield, W.
Scrope, G. P.
Scully, F.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smith, J. B.
Somerville, rt. hon. Sir W.
Spearman, H. J.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, Lord D.
Sullivan, M.
Sutton, J. H. M.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Towneley, J.
Townley, R. G.
Traill, G.
Turner, G. J.
Verney, Sir H.
Villiers, Visct.
Villiers, hon. C.
Vivian, J. H.
Wall, C. B.
Walmsley, Sir J.
Ward, H. G.
Watkins, Col. L.
West, F. R.
Westhead, J. P.
Whitmore, T. C.
Willcox, B. M.
Williams, J.
Willyams, H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wrightson, W. B.
Wyvill, M.
Young, Sir J.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Acland, Sir T. D.
Adderley, C. B.
Alexander, N.
Anstey, T. C.
Arbuthnott, hon. H.
Archdall, Capt. M.
Bagge, W.
Bagot, hon. W.
Bailey, J. jun.
Baines, M. T.
Baldock, E. H.
Bankes, G.
Baring, T.
Baring, hon. F.
Barrington, Visct.
Barron, Sir H. W.
Bateson, T.
Beckett, W.
Bennet, P.
Bentinck, Lord H.
Blackstone, W. S.
Blair, S.
Blakemore, R.
Blandford, Marq. of
Boldero, H. G.
Bourke, R. S.
Bowles, Adm.
Bramston, T. W.
Bremridge, R.
Brisco, M.
Broadley, H.
Brooke, Lord
Brooke, Sir A. B.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Burghley, Lord
Cabbell, B. B.
Carew, W. H. P.
Cayley, E. S.
Chandos, Marq. of
Chichester, Lord J. L.
Cholmeley, Sir M.
Christopher, R. A.
Clay, J.
Clive, hon. R. H.
Clive, H. B.
Cobbold, J. C.
Codrington, Sir W.
Cole, hon. H. A.
Coles, H. B.
Compton, H. C.
Cotton, hon. W. H. S.
Davies, D. A. S.
Deedes, W.
Dick, Q.
Disraeli, B.
Dod, J. W.
Dodd, G.
Drummond, H.
Duckworth, Sir J. T. B.
Duke, Sir J.
Duncombe, hon. A.
Duncombe, hon. O.
Dundas, G.
Dunne, F. P.
Du Pre, C. G.
East, Sir J. B.
Egerton, Sir P.
Edwards, H.
Egerton, Sir P.
Euston, Earl of
Farnham, E. B.
Farrer, J.
Fellowes, E.
Filmer, Sir E.
Floyer, J.
Forbes, W.
Forester, hon. G. C. W.
Fox, S. W. L.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Goddard, A. L.
Gordon, Adm.
Gore, W. O.
Gore, W. R. O.
Granby, Marq. of
Grogan, E.
Gwyn, H.
Hale, R. B.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Harris, hon. Capt.
Heathcoat, G. J.
Henley, J. W.
Herbert, H. A.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hill, Lord E.
Hodgson, W. N.
Hood, Sir A.
Hope, Sir J.
Hornby, J.
Hotham, Lord
Hughes, W. B.
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Keating, R.
Kerrison, Sir R.
Knight, F. W.
Knightley, Sir C.
Knox, Col.
Legh, G. C.
Lennox, Lord H. G.
Leslie, C. P.
Lewisham, Visct.
Lindsay, hon. Col.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, hon. Col.
Lowther, H.
Lygon, hon. Gen.
Mandeville, Visct.
Manners, Lord C. S.
Manners, Lord G.
March, Earl of
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Morgan, O.
Mulgrave, Earl of
Mullings, J. R.
Mure, Col.
Napier, J.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Newry and Morne, Visct.
Noel, hon. G. J.
Ossulston, Lord
Packe, C. W.
Palmer, R.
Palmer, R.
Pennant, hon. Col.
Pigot, Sir R.
Plowden, W. H. C.
Powell, Col.
Prime, R.
Pugh, D.
Reid, Col.
Renton, J. C.
Repton, G. W. J.
Richards, R.
Robinson, G. R.
Rolleston, Col.
Rufford, F.
Rumbold, C. E.
Rushout, Capt.
Sandars, J.
Scott, hon. F.
Seaham, Visct.
Seymer, H. K.
Shirley, E. J.
Sibthorp, Col.
Sidney, Ald.
Smyth, J. G.
Smollett, A.
Somerset, Capt.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stanley, E.
Stephenson, R.
Stuart, H.
Stuart, J.
Talbot, C. R. M.
Tabot, J. H.
Taylor, T. E.
Thompson, Ald.
Tollemache, J.
Trevor, hon. G. R.
Trollope, Sir J.
Tyrell, Sir J. T.
Verner, Sir W.
Vesey, hon. T.
Villiers, hon. F. W. C.
Vivian, J. E.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Walpole, S. H.

Walsh, Sir J. B.
Wawn, J. T.
Wellesley, Lord C.
Williams, T. P.
Williamson, Sir H.
Willoughby, Sir H.
Wodehouse, E.
Worcester, Marq. of

TELLERS.
Mackenzie, W. F.
Beresford, W.

Main Question put, and agreed to.

Bill read 2°, and committed for Friday, 23rd March.

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, March 13, 1849.

MINUTES.] PETITIONS PRESENTED. From Grand Jury of the County of Fermanagh, and Guardians of the Limerick Union, against the Rate-in-Aid Bill.—From Guardians of Milford and Belfast Unions, against the Rate-in-Aid Bill, and for the Amendment of the Poor Law (Ireland).—From Members of the Church of England, against the Endowment of the Roman Catholic Priesthood in Ireland.—From Clergy and Others, of the Parish of Connor, and several other Places, for the Adoption of Measures for the Suppression of Seduction and Prostitution.

House adjourned to Thursday next.

HOUSE OF COMMONS,

Tuesday, March 13, 1849.

MINUTES.] PUBLIC BILLS.—1ª Larceny Acts Amendment.

PETITIONS PRESENTED. By Mr. Hume, from Members of a Society formed for the Diffusion of Political Information in Taunton, for an Extension of the Suffrage.—By Mr. Pole Carew, from the Deanery of West, in the County of Cornwall, against, and by Sir Thomas Birch, from Liverpool, in favour of, the Marriages Bill.—By Mr. Bouverie, from the Parish of Tresmere, near Launceston, Cornwall, respecting the Payment of Parish Clerks.—By Sir W. Molesworth, from the Commissioners and Wardmasters of Cape Town, Cape of Good Hope, against the Transportation of Convicts to that Colony.—By Mr. Frewen, from the Association for the Repeal of the Malt and Hop Duties; and by Lord Rendlesham, from the Beccles Farmers' Club, Suffolk, praying for a Repeal of those Duties.—By Mr. Hume, from the Parish of Pennycuick, in the County of Edinburgh, for the Repeal of the Paper Duty.—By Mr. Whitmore, from the Borough of Bridgnorth, for Reduction of Public Expenditure.—By Mr. Muntz, from several Shareholders in Railways, at a Meeting held at the Queen's Hotel, in Birmingham, respecting Taxation on Railways.—By Mr. H. Drummond, from the Capel Farmers' Club, in the County of Surrey, for the Relief of Agricultural Distress.—By Major Blackall, from Kingstown, Dublin, for Relief of Distress (Ireland).—By Mr. Hume, from James Hill Dickson, respecting the Cultivation of Flax in Ireland.—By Mr. Masterman, from the City of London, for a Better Supply of Gas.—By Mr. Disraeli, from the Town of Peterhead, in the County of Aberdeen, for an Alteration of the Merchant Seamen's Fund Act.—By Sir John Yardley Buller, from Dartmouth, and by other Hon. Members, from several Places, against, and by Mr. Cobden, from Whitstable, in the County of Kent, in favour of, the Navigation Bill.—By Mr. John Ellis, from the Mayor, Aldermen, and Burgesses of the Borough of Leicester, respecting the Law of Settlement.—By Mr. Bourke, from the Board of Guardians of the Edenderry Union, and by Captain Jones, from the Ratepayers of Londonderry, against the proposed Rate in Aid (Ireland).—By Mr. Cornewall Lewis, from the Guardians of the Darlington Union, in the Counties of Durham and York, for an Alteration of the Public Roads Bill.—By Mr. H. Baillie, from Members of the Presbytery of Inverness, against the Registering Births, &c., and Marriage (Scotland) Bills.—By Mr. Law Hodges, from Gravesend, Kent, and by other Hon. Members, from several Places, for Referring War Disputes to Arbitration.

DUBLIN CONSOLIDATION, &c., BILL.

Order for Second Reading read; Motion made, and Question proposed, "That the Bill be now read a second time."

MR. REYNOLDS said, that he still entertained the same objections to this measure which he had expressed on a former occasion. He had hoped that the interval which elapsed since its first reading would have brought the promoters to their senses. He ought more properly to have spoken in the singular, and said the "promoter," for an attorney was the only individual who seemed most interested in its fate. It was a Bill of costs, which would impose heavy burdens on the Irish metropolis; and he appealed in sober seriousness to his hon. Colleague (Mr. Grogan), and asked him how he could reconcile it to his feelings, as one of the representatives of the city of Dublin, to force on his constituents so extravagant and unconstitutional a measure? If he (Mr. Reynolds) possessed the concentrated eloquence of both sides of the House, it would be impossible for him adequately to describe its monstrosity, or to designate its true character. It would abolish municipal rights, and transfer the taxing powers of a responsible corporation to a number of *ex officio* commissioners. He thought that when such a measure was supported by his hon. Colleague—who, on this occasion, appeared to be an instrument in the hands of a speculating attorney—it was the duty of the right hon. Baronet the Secretary for Ireland to lead the opposition to it; but as that course had not been pursued by any of Her Majesty's Ministers, he (Mr. Reynolds) felt justified in coming forward and moving, that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

SIR J. Y. BULLER said, that two or three days ago, he had received a letter to the effect that this matter had been arranged, that the three Dublin Bills which now stood for second readings would be withdrawn, and that the Government would introduce a general measure which would satisfy the wishes of all parties. He wished to ask the right hon. Baronet the Secretary for Ireland whether this information were correct?

Sir W. SOMERVILLE regretted that he was unable to give so satisfactory an answer to the question as he could desire. He could assure the House that Her Majesty's Ministers were exceedingly anxious that the disagreement between the parties in Dublin relative to the three Bills in question should be settled, and that they should come to some sort of compromise with each other. He had been in hopes the day before that he should be able now to make an announcement that the disputes were ended—but he was sorry to say that one of the parties was not disposed to withdraw their Bill. At the same time, he was not without hopes even still that there was a possibility of an amicable conclusion being arrived at on the subject.

Sir J. Y. BULLER moved that the Bill be postponed for three weeks, in order to afford time to the Government to introduce a measure which would bring matters to a settlement.

Mr. GROGAN observed that he would not oppose this proposition, provided the Government would regulate differences by the introduction of a Bill of their own, and then allow the whole of the measures to be transferred to a Committee for full consideration.

Sir W. SOMERVILLE could not give any assurance that such a suggestion as this would be adopted by Her Majesty's Ministers.

Mr. WILSON PATTEN thought the proposal of his hon. Friend the Member for Devonshire was a very excellent one—that the three Dublin Bills should, under the circumstances, be postponed for three weeks.

Mr. GROGAN denied that there was any job or injustice contemplated by the Bill, the best proof of which was, that all he asked the House to do was, to refer the Bill to a Committee to inquire into its merits, and if, then, it were found to contain audacious or tyrannical clauses, he, for one, should be quite ready to abandon them—whereas the opponents of the measure shrank from the Committee.

Mr. T. O'BRIEN opposed the second reading of the measure, and stated that the citizens of Dublin were almost unanimously averse to its provisions. He denounced the Bill as being monstrous and impolitic, and declared that it was the scheme of a speculating solicitor to obtain costs.

Mr. SIDNEY HERBERT believed that the House had become heartily sick of this subject. These Bills had been postponed in order that Government might ascertain whether such alterations could be introduced in them as to enable it to support them. He apprehended that the Government had no great favour for either of the Bills. An influential meeting had recently taken place in Dublin, from which it appeared that the Irish Government, the Lord Mayor, &c., and the Chamber of Commerce, of Dublin, were in favour of the withdrawal of the Bills, in order that the subject might be undertaken by the Government. If the Government were disposed to take up this subject—and he thought that they ought to do so, as the subject matter of the Bill was one which ought to be dealt with by the Government, and not by private individuals—he considered that the course proposed by the hon. Baronet (Sir J. Y. Buller) was a prudent one. He trusted that the Government were in earnest in this matter, and that they would take themselves take the initiative.

Sir W. SOMERVILLE repeated what he had said before, that the Government were perfectly in earnest in desiring to bring the *vexata quæstio* to a satisfactory termination, and that he was not without hopes that an amicable settlement was near at hand.

Mr. J. O'CONNELL said, that the right hon. Gentleman the Member for Wiltshire, who supported the present Bill, was an Irish absentee landlord—that no portion of the burden of taxation in Dublin fell upon his shoulders—and that he did nothing in the country but most scrupulously receive his rents. The question before the House was, whether they would uphold Mr. Jackson, the attorney, who was the solitary promoter of the measure, or the interests of the citizens of Dublin.

Mr. J. H. HAMILTON stated, that a better landlord than the right hon. Member for Wiltshire did not exist.

Mr. REYNOLDS said, that if a postponement of the second reading for a fortnight were assented to, he would not put the House to the trouble of proceeding to a division.

Sir J. Y. BULLER had no objection to substitute a fortnight for three weeks, if the right hon. the Secretary for Ireland could amicably arrange and bring in his Bill in that space of time.

Sir W. SOMERVILLE thought that

the postponement of the second reading would most likely effect all that was desired.

Question proposed, "That the word 'now' stand part of the Question." Amendment and Motion, by leave, withdrawn. Motion made, and Question put, "That the Bill be read a Second Time upon Tuesday 27th March."

The House divided:—Ayes 110; Noes 100: Majority 10.

List of the Ayes.

Adair, R. A. S.
Aglionby, H. A.
Arundel and Surrey, Earl of
Bellew, R. M.
Berkeley, C. L. G.
Blakemore, R.
Bouverie, hon. E. P.
Bramston, T. W.
Bright, J.
Brotherton, J.
Brown, W.
Buller, Sir J. Y.
Buxton, Sir E. N.
Callaghan, D.
Carew, W. H. P.
Charteris, hon. F.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Clive, hon. R. H.
Cobden, R.
Cocks, T. S.
Douglas, Sir C. E.
Drumlanrig, Visc.
Duckworth, Sir J. T. B.
Duncan, G.
Ellice, rt. hon. E.
Ewart, W.
Fagan, W.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fox, W. J.
Gibson, rt. hon. T. M.
Glyn, G. C.
Goulburn, rt. hon. H.
Grenfell, C. P.
Grosvenor, Earl
Hale, R. B.
Hardcastle, J. A.
Harris, R.
Hastie, A.
Hastie, A.
Hawes, B.
Herbert, rt. hon. S.
Heyworth, L.
Hill, L. M.
Hogg, Sir J. W.
Hope, Sir J.
Hotham, Lord
Howard, Lord E.
Hume, J.
Humphery, Ald.
Jackson, W.
Jervis, Sir J.
Keating, R.
Kershaw, J.
Kildare, Marq. of
Labouchere, rt. hon. H.
Locke, J.
Lygon, hon. Gen.
Mackinnon, W. A.
M'Gregor, J.
Meagher, T.
Maitland, T.
Matheson, Col.
Maule, rt. hon. F.
Milnes, R. M.
Monsell, W.
Morgan, H. K. G.
Morris, D.
Mostyn, hon. E. M. L.
Napier, J.
Norreys, Sir D. J.
Nugent, Lord
O'Brien, T.
O'Connor, F.
Osborne, R.
Pakington, Sir J.
Palmer, R.
Palmer, R.
Patten, J. W.
Pilkington, J.
Power, N.
Pugh, D.
Ricardo, O.
Russell, Lord J.
Salwey, Col.
Scholefield, W.
Scrope, G. P.
Scully, F.
Sidney, Ald.
Smith, J. A.
Smith, J. B.
Somerville, rt. hon. Sir W.
Sotheron, T. H. S.
Talbot, J. H.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Walmsley, Sir J.
Wawn, J. T.
West, F.
Willcox, B. M.
Williams, J.
Wilson, M.
Wrightson, W.
Wyvill, M.
Young, Sir J.

TELLERS.
Reynolds, J.
O'Connell, J.

List of the Noes.

Adderley, C. B.
Alexander, N.
Archdall, Capt. M.
Bagge, W.
Bankes, G.
Baring, hon. F.
Barrington, Visct.
Bennet, P.
Beresford, W.
Blackall, S. W.
Blair, S.
Boldero, H. G.
Bourke, R. S.
Boyd, J.
Bremridge, R.
Brooke, Lord
Brooke, Sir A. B.
Buck, L. W.
Cholmeley, Sir M.
Christopher, R. A.
Clive, H. B.
Cobbold, J. C.
Codrington, Sir W.
Cole, hon. H. A.
Coles, H. B.
Cotton, hon. W. H. S.
Cubitt, W.
Davies, D. A. S.
Disraeli, B.
Duncombe, hon. A.
Duncombe, hon. O.
Duncuft, J.
Dundas, G.
Du Pre, C. G.
Edwards, H.
Farrer, J.
Floyer, J.
Forbes, W.
Forester, hon. G. C. W.
French, F.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Gore, W. R. O.
Granby, Marq. of
Greenall, G.
Gwyn, H.
Hall, Col.
Hamilton, G. A.
Hamilton, J. H.
Hayes, Sir E.
Heald, J.
Heneage, G. H. W.
Henley, J. W.
Herbert, H. A.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hill, Lord E.
Hodgson, W. N.
Hornby, J.
Hughes, W. B.
Jones, Capt.
Knight, F. W.
Lennox, Lord H. G.
Leslie, C. P.
Lindsay, hon. Col
Lockhart, W.
Long, W.
Manners, Lord C. S.
March, Earl of
Maunsell, T. P.
Miles, P. W. S.
Miles, W.
Milner, W. M. E.
Molesworth, Sir W.
Mullings, J. R.
Newport, Visct.
O'Brien, Sir L.
O'Connell, M. J.
Reid, Col.
Renton, J. C.
Rufford, F.
Sandars, G.
Seymer, H. K.
Smyth, Sir H.
Smyth, J. G.
Spooner, R.
Stafford, A.
Stanley, E.
Stuart, J.
Sullivan, M.
Taylor, T. E.
Trollope, Sir J.
Tyrell, Sir J. T.
Urquhart, D.
Vesey, hon. T.
Waddington, H. S.
Wall, C. B.
Walsh, Sir J. B.
Wodehouse, E.

TELLERS.
Grogan, E.
Mackenzie, W. F.

Second reading deferred till Tuesday March 27th.

EASTERN UNION AND EASTERN COUNTIES RAILWAY COMPANIES BILL.

Motion made and Question proposed, that the Bill be now read a Second Time.

Mr. AGLIONBY moved that it be read a second time that day six months, on the ground that it was objectionable in principle on the very face of it. It proposed to raise 75,000*l.*, in addition to 950,000*l.* already raised, and authorised the merging in the company of shares on which the calls were not paid up, for the purpose of a re-issue, thus depriving the original shareholder of his interest, and creating a new body of shareholders.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months." Question proposed, "That the word 'now,' stand part of the Question."

MR. COBBOLD supported the Bill, and trusted that the House would not regard what had dropped from the hon. Member for Cockermouth, for that no representations could have been more erroneous.

MR. BROTHERTON said, the Bill was a very objectionable one, but hoped his hon. Friend would withdraw his Amendment, and move the postponement of the Bill for a fortnight.

MR. HUME thought it would not be fair thus suddenly to throw the Bill out altogether, and as a legal meeting of the company could not be had before a month, he begged leave to move that the Bill be read a second time that day month.

MR. AGLIONBY said, that as this suggestion came from him, he therefore withdrew his Amendment to make way for that of his hon. Friend.

Amendment, by leave, withdrawn. Another Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon Tuesday the 17th day of April next." Question put, "That the word 'now' stand part of the Question." House divided:—Ayes 113; Noes 54: Majority 59.

Main Question put, and agreed to.

Bill read 2ª and committed, and referred to the Committee of Selection.

TRANSPORTATION TO THE CAPE OF GOOD HOPE.

MR. ADDERLEY wished to ask the hon. Under Secretary for the Colonies if he had any objections to lay upon the table certain communications, alluded to by Earl Grey in another place, as having been lately received from the Governor of the Cape of Good Hope, intimating that the announcement of the intention of the Colonial Office to send convicts to that settlement had excited very general dissatisfaction amongst the colonists? Also, to what part of the settlement convicts were to be sent, and whether there was to be any further restraint than is supposed to exist in a ticket of leave?

MR. HAWES said, that no despatches had been received from the Governor at the Cape in answer to the instructions regarding the convicts; but he understood that the object of this Motion had already been embraced by a previous Motion of the noble Viscount the Member for Hertford.

MR. ADDERLEY said, that Earl Grey had stated most distinctly, in another place, the other day, that the Governor of the Cape had intimated to him that very general dissatisfaction had been expressed in that settlement with reference to the intention of sending convicts out there.

MR. HAWES repeated that he was not aware to what the hon. Member alluded, unless it was to something that had appeared in the newspapers. But the Government had received nothing officially in answer to the noble Lord's (Earl Grey's) despatch, and he (Mr. Hawes) therefore had nothing to lay before the House. When any answer was received, it should, however, be laid before Parliament.

SCHLESWIG-HOLSTEIN.

MR. G. SANDARS wished to ask the noble Viscount the Secretary of State for Foreign Affairs, for some information on the following subject: "As the armistice between the Danish and Russian Governments on the affairs of Schleswig-Holstein is to cease on the 26th instant, and as there exists great desire on the part of the merchants trading to the Elbe and the ports on the Baltic to know the present state of the question, how the question stands; and whether, after the 26th instant, he anticipates a renewal of hostilities, and a blockading of the ports under the Germanic Confederation, and, if so, whether the property of British merchants, in either British or foreign ships, will be held free from capture and forfeiture?"

VISCOUNT PALMERSTON: The question which the hon. Gentleman has put to me is certainly a very important one, and the commerce of all Europe is deeply interested, that the negotiations now going on, with respect to these duchies, should be brought to a successful termination. It is true, as the hon. Member, in his question, states, that the Danish Government have given notice, as they are entitled to do, by the conditions of the convention of Malmoe, of the termination of the armistice on the 26th of the present month. But, in giving that notice to the parties concerned, they have, at the same time, declared in writing, officially, that it is not their intention to recommence hostilities; and that their object in denouncing the armistice is rather a wish that some separate arrangement should be come to with regard to the Provisional Government of the duchies of Schleswig-Holstein. With regard to the state in which the matter now stands, all I can say is, that Her Majesty's Government are assiduously endeavouring to bring the two parties to an understanding, not merely on the points at issue with regard to the suspension of hostilities, but with regard to the basis upon which a permanent arrangement may be concluded. And I assure the hon. Gentleman and the House that no effort shall be wanting on the part of the Government to bring the parties to a mutual good understanding. And when I consider the vast magnitude of the interests at stake, and the serious, and extensive, and disastrous consequences, I may say, that would arise from a renewed rupture between the contending parties, I cannot but believe that the spirit of conciliation which I am persuaded animates both parties, will induce them to come to a reasonable understanding with the view to a final arrangement for permanent peace.

IRISH PAUPERS IN GREAT BRITAIN.

Mr. H. A. HERBERT said, he wished to ask the right hon. Baronet the Secretary of State for the Home Department if it was the intention of the Government to introduce any change in the law with reference to the transmission of Irish paupers from England to Ireland, as the noble Lord at the head of the Government had stated a few nights ago that he expected a large accession to the numbers of Irish poor that were constantly flocking into this country?

Sir G. GREY said, it was desirable that hon. Members putting questions should confine themselves only to the facts: the noble Lord had never meant to say what the hon. Member had attributed to him. The Government had received a deputation on Saturday last, which represented that a very large number of paupers had been removed under the law affecting the removal of Irish paupers born in Ireland, and not having settlements in this country. These removals were chiefly from Glasgow, and 12,000 (he believed) was the number stated to have taken place last year; but he did not think the real number was so great. He certainly thought there were some grounds for complaint, and that being the case he should have been ready to listen to any reasonable proposal for the amendment of the law; but he must say that he had not as yet heard any proposal made that, acting on the part of the Government, he would feel justified in adopting for the amendment of the law. Since he had seen that deputation, he had received information from Scotland that a society had been established at Belfast, which was supported by voluntary contributions, for the purpose of returning Irish paupers back to Scotland. The fact, therefore (as asserted at least), was, that the paupers were legally removed from Scotland to Belfast, and illegally removed from Belfast to Scotland.

Mr. J. O'CONNELL understood the right hon. Baronet the Secretary for the Home Department to say, in answer to a question from the hon. Gentleman the Member for Kerry, that he had received a representation from Belfast, that there was a society established there to return back to Scotland the Irish paupers who were sent to Belfast. He begged to ask if the right hon. Gentleman had received any notice from Glasgow of the fact that a very large number of the persons sent from Glasgow to Belfast had been persons located in Scotland, and perhaps in Glasgow itself, and who had added to the wealth of that city.

Sir G. GREY said, that complaints had been made with respect to the removal of paupers to Scotland from Ireland, and the matter was investigated by the Board of Supervision in Scotland, by whom a report was made that great dissatisfaction was felt in Scotland, in consequence of the return of paupers sent back by a society in Belfast; but he had no information of any number of cases, and he believed there was only one case where it was alleged that the paupers had been resident for a sufficient time to become chargeable.

CORN DUTIES.

Mr. OSBORNE wished to ask whethe the returns required to be made by corn merchants, under the Act 4 Victoria, cap. 14, for the purpose of adjusting the duties on foreign corn, were any longer necessary, now that the duty had expired, or was reduced to one shilling? He wished to know what reason now existed for compelling merchants to make returns with respect to the price of corn when the tax was removed, and there could be no necessity for ascertaining the price?

The CHANCELLOR of the EXCHEQUER, in reply to the question of the hon. Gentleman, begged to say that it was still necessary to make the returns, if for no other purpose, with a view to arrange the averages with respect to tithe rent charges.

CHURCH RATES.

Mr. TRELAWNY rose to bring forward the Motion of which he had given notice, for the abolition of church rates. He disavowed any motive of hostility towards the Established Church, of which he was a member, and whose great usefulness he admitted. He conceived that the only chance of settling this question was by coming to a determination that church rates should be abolished. This was the object of his Motion, which did not include the suggestion of any substitute for this impost; but if any other hon. Member had any plan to propose whereby all interests might be reconciled, and both Dissenters and Churchmen satisfied, it would be open for him to do so. He would first state the proceedings which had been taken at various times in that House on the subject of church rates. In March, 1834, Mr. Divett brought forward a Motion for the abolition of church rates in England and Wales; which he withdrew upon Lord Althorp's promising to submit to the House a satisfactory measure. On the 21st of April, the House having, on the Motion of the Chancellor of the Exchequer (Lord Althorp) resolved itself into a Committee, the noble Lord brought forward a resolution—

> "That, after a time to be fixed, the payment of church rates in England and Wales shall cease and determine; that in lieu thereof, His Majesty be empowered to grant, out of the proceeds of the land tax, a sum not exceeding 250,000*l.*, to be applied to the fabrics of parish churches and parochial chapels, in such manner as Parliament shall determine."

Mr. Hume moved as an Amendment—

> "That it appears to the Committee inexpedient to take into consideration any proposition for charging the public revenue with maintaining the edifices of the Established Church, until it shall be shown that the funds now belonging to that Church are not adequate to meet this and the other charges for its support."

The Committee divided—For the original Motion 256; for the Amendment 140: Majority 116. Mr. Wilks moved that the chairman report progress; which was negatived by 263 against 136. The resolution was agreed to, and the House resumed. A Bill was shortly after introduced by Lord Althorp, in pursuance of the resolution—

> "For the abolition of church rates, and to make provision for the necessary repairs of parish churches and chapels, and for the decent performance of divine service therein."

It provided for those purposes by charging 250,000*l.* on the land tax, to be paid to the commissioners for building churches, under whose administration and direction the monies were to be applied. In certain cases the requisites for the performance of divine service, and the incidental expenses of worship, were to be defrayed by funds procured from the letting of pews, under the direction of the church and chapel wardens. The objection to this Bill was obvious. Instead of removing the original, essential injustice of the principle of church rates, especially as applied to Dissenters, it provided for the objects of that obnoxious impost out of a public fund, the amount charged upon which for this new and special purpose must necessarily be made up and replaced from the general taxation of the country. Thus, the principle of making all persons, Dissenters or Churchmen, non-attendants on the worship at the churches repaired at the public expense, alike contribute to the purposes of church rate, was by this Act re-affirmed and acted upon. It was a fresh and insulting statutory recognition of the unjust principle which was the *gravamen* of the grievance. While, too, Dissenters and others would thus, in effect, still be contributing to a church rate, they were at the same time deprived of the ancient privilege which had hitherto been exercised by parishes, of voting or of refusing the rate in vestry. Arising, no doubt, and as was alleged, from the objections of the Dissenters, the Bill was not persevered in, and the grievance was left unredressed. In consequence of this, local resistance to granting rates in vestry became very general, and produced much ill feeling and expensive litigation in various parts of the country. In March, 1835, Sir R. Peel proposed, as one of the measures included in the programme of the legislative policy of his Administration, to introduce a Bill for the abolition of the church rates, but providing for the objects of them out of the Consolidated Fund. Any such measure could never have succeeded as a just or satisfactory settlement of the question, as it was open to the same objections that had prevailed against the Bill of Lord Althorp. On the 3rd of March, 1837, the following resolution was moved, in a Committee of the whole House, by the Chancellor of the Exchequer (Mr. Spring Rice):—

> "That it is the opinion of this Committee, that

for the repair and maintenance of parochial churches and chapels in England and Wales, and the due celebration of divine worship therein, a permanent and adequate provision be made out of an increased value given to church lands," &c.

The debate was renewed on the 13th, 14th, and 15th, and the resolution was carried by 273 against 250 (with 39 pairs). On Tuesday, May 23, Lord J. Russell moved the order of the day for taking into further consideration the Resolution relating to church rates; when Mr. A. Johnstone moved, as an Amendment—

> "That it is the opinion of this House that funds may be derived from an improved management of church lands, and that these funds should be applied to religious instruction within the Established Church, where the same may be found deficient, in proportion to the existing population."

The debate was adjourned to the next day. Mr. Johnstone withdrew his Amendment; and, on the Motion "that the Resolution be agreed to," the House divided. The numbers were — Ayes (for the Resolution) 287; Noes 282; Majority for Ministers, 5. On Tuesday, June 13, Lord J. Russell stated, that although, considering the misrepresentation and prejudice which had been excited against the plan, it was surprising that any majority at all had been obtained for the resolution, yet, as that majority was so small, the Government did not consider that they would be justified in proceeding with a Bill founded on the resolution that Session; and he concluded by moving—

> "For the appointment of a Select Committee to inquire into the mode of granting and renewing leases of the landed and other property of the bishops, deans, and chapters, and other ecclesiastical bodies of England and Wales, and into the probable amount of any increased value which might be obtained by an improved management, with a due consideration of the interest of the Established Church, and of the present lessees of such property."

The demise of the Crown in 1837 prevented the appointment of the Select Committee on church leases in that Session. But in May, 1838, the Committee was appointed; and the evidence taken before them was ordered to be printed, August 7th of that year. Owing to the difference of opinion in the Committee, and the preponderance of Church influence, no report was agreed upon; and no steps were taken in consequence of the evidence in Parliament, although the Church authorities, having ascertained the improvable value of church leases, immediately took measures to turn the results of the inquiry to the advantage of the bishops. On the 11th February, 1840, Mr. T. S. Duncombe moved for leave to bring in a Bill to relieve Dissenters from the payment of church rates; which was opposed by Ministers, and the Motion was negatived by 117 against 62; majority 55. On the 9th July, 1840, Mr. Easthope moved for leave to bring in a Bill to exempt Dissenters from liability to church rates. But the debate was cut short by the Speaker's interposition, on the ground that the Motion was substantially the same as that brought forward by the hon. Member for Finsbury on February 12, and negatived. The objection was deemed fatal. On May 25, 1841, Mr. Easthope moved for leave to bring in a Bill to abolish church rates, and make other provision for the maintenance of churches and chapels in England and Wales; which was agreed to, after a long and interesting debate, without a division. The Bill was prepared and brought in by Mr. Easthope and Mr. Hume; and being read a first time, was ordered to be printed June 8, 1841. Parliament being dissolved on the 23rd, the Bill, of course, fell to the ground. No renewed attempt was made to bring in a Bill; but, in August, 1842, Sir John Easthope moved for returns, showing in what parishes church rates were levied, and in what cases they were refused. This Motion had been reluctantly acceded to; but the returns were so imperfect and confused, that they were of no practical or available use. On two or three subsequent occasions, the question had been mooted; but at no time had any satisfactory settlement been come to. He was desirous of giving the House some idea of the opinions which had been entertained by public men on this most important subject. The right hon. Baronet the present Chancellor of the Exchequer had said, in May, 1841—

> "That nothing was more clear than the absolute necessity of introducing some measure by which the heartburnings of a great portion of the population of this empire might be removed."

Sir J. Lushington had said—

> "What consequences does this state of things lead to? First, repeated vestry meetings, where you have the clergyman in the chair, and his party ranged on one side, and the opposing party on the other—violence of language ensues—the passions become excited—and the whole scene is one of agitation, confusion, exasperation, and violence, and the entire parish is immediately plunged into a state of uproar and exacerbation."

Viscount Althorp considered—

> "That there was a great difference, in point of principle, between the payment by Dissenters of tithes and church rates. Church rate was a

tax laid on at the discretion of others, as far as regarded its amount, and the Dissenters, who were compelled to pay it, felt that they were compelled to pay for the administration of worship under a system they did not approve. For this reason, in his opinion, the Dissenters had a right to complain of it."

Lord Stanley—

> "Was perfectly ready to admit such maintenance of an Established Church ought to be conducted upon principles and in a manner the least irritating and offensive to other parties, both as respected the amount and the mode of collection. He was ready to acknowledge that church rates, as they stood, formed to Dissenters a serious and substantial grievance."

Then there was the right hon. Baronet the head of the late Government, who thought in 1835—

> "That the subject of church rates did not yield to any other in emergency; that it was, as much as any question, important in the maintenance of social harmony. He even thought that, in consideration of the interests of the Church, for the satisfaction of a large body of the public, for the promotion of subordination and obedience to the law, the Government ought not to suffer the law respecting church rates to be made the theme of discussion at public meetings, and the subject of angry comment from parochial martyrs, for another twelvemonths."

It could hardly be believed that the subject had been forgotten by Governments almost ever since. Either the right hon. Baronet had then spoken rather hastily, or there had been unpardonable neglect of duty since that time. He now came to those who had practical influence at the present time, and to whom the Liberal party had a right to look for assistance. The noble Lord at the head of the Government said, in Feb. 1840—

> "That the question of church rates was an unnecessary and vexatious source of animosity, and that any method by which the grievance which they occasioned might be either diminished or taken away would be a benefit to the Established Church."

There was now a glorious opportunity open to the noble Lord for settling a question which was as injurious to the Established Church as offensive to the Dissenters. In July, 1839, the House had come to the resolution—

> "That John Thorogood, a Protestant Dissenter, has been confined in Her Majesty's County Gaol of Essex since the 16th of January last, for neglecting to appear in the Consistorial Court of the Bishop of London, for the non-payment of 5*s.* 6*d.*, being the amount of church rates assessed upon him for the parish of Chelmsford; and it is the opinion of this House that it will be the duty of the Legislature, at the earliest possible period of the next Session of Parliament, to make such alterations in the existing laws for levying church rates as shall prevent the recurrence of a like violence being ever again inflicted upon the religious scruples of that portion of Her Majesty's subjects who conscientiously dissent from the rites and doctrines of the Established Church."

He next came to a more difficult part of the subject, the state of the law as related to church rates. The law appeared to be extremely intricate. As far as he could gather from the authorities, they held that the parishioners of any place were as much bound to support the church as to support the highways. But there were clearly not the same sanctions for enforcing the law in the one case as in the other. One obvious method of evading it, and which was now resorted to in many large towns, was that of electing churchwardens who were pledged not to make a church rate. After referring to the Braintree and other cases, in proof of the uncertain state of the law, the hon. Gentleman said he would trouble the House with some details on the subject of the abuses which had arisen of late years in connexion with this tax. It might not be generally known, that where church rates were under 10*l.*, they might be enforced by summary process. One case of oppression was that of James Bidwell, a parishioner of St. Botolph's, Cambridge. There was due from him, on account of church rates, the sum of 16*s.* A magistrate's order for payment of that amount, and 1*l.* 12*s.* 3*d.* costs, was served upon him; and the churchwardens, without making any attempt to levy the amount of the rate by seizure under a warrant of distress, because the defendant, on application, refused payment on principle, prosecuted him for the common-law misdemeanour of disobeying an order of magistrates. The churchwardens, as there is ground to suppose, expected that some one friendly to the defendant would thus be induced to pay the demand, in order to save him from the painful consequences of a criminal prosecution. The case was tried before Mr. Baron Parke, at the spring assizes for 1845, and the defendant was convicted. On various legal grounds of objection against the indictment, Mr. Baron Parke deferred judgment. At the summer assizes, in 1847, judgment was delivered for the learned Baron by Mr. Justice Patteson, to the effect that, under the circumstances, as above detailed, the indictment was maintainable; and, after asking defendant if he could pay the costs of prosecution, for, if so, he would be only called on to enter into recognisances to appear to receive sentence at the ensuing assizes; and, upon the defendant stating that he "had not a shilling to bless himself with," the learned Judge sentenced him to six months' imprisonment; but, on application, he was allowed to be confined with the first-class misdemeanants! The right hon. Baronet the Secretary of State for the Home Department, on the case having been strongly represented to him, first very much shortened the term of imprisonment, and ultimately, before the expiration even of that period, opened the prison doors by the exercise of the merciful prerogative of the Crown. Much indignation was excited in the country by this petty, though malignant, case of persecution. A similar case, perhaps still more unjustifiable, occurred shortly afterwards. Mr. J. Simonds, of Mursley, Bucks, a respectable tradesman, also acting as a Dissenting minister, was assessed to the church rate in respect of his occupation of a cottage and garden, at the sum of *5d.* He objected, on principle, to pay the rate. An order of magistrates for payment was made and served upon him; and, for not complying with this, he was prosecuted criminally for a misdemeanour. By the 53rd Geo. III., c. 127, there was a simple remedy for the recovery by distraint of church rates due under the amount of 10*l.* This remedy, however, the churchwardens abstained from pursuing, though there could be no doubt of the sufficiency of the goods of Simonds to meet every demand in respect of the rate. He was tried at the Aylesbury quarter-sessions, on 6th Jan., 1848; and though differences of opinion—which they retired to decide upon—were entertained among the magistrates on several points of legal objection raised by counsel, yet a majority considered that the indictment was maintainable, notwithstanding the voluntary abstinence by the churchwardens from the remedy prescribed by the statute. He was found guilty and sentenced to one week's imprisonment. Mr. Justice Patteson had sentenced poor Bidwell to six months' incarceration for the same offence. The hon. and learned Member then read a list of cases where distraints had been made on the property of Friends at Reading for small amounts of church rate—the sums claimed amounting to 2*l.* 1*s.* 11*d.*, and the value of the property seized to 10*l.* 13*s.* 8*d.* In answer to all this, it might be said that Dissenters had bought or taken their property subject to church rates; but why not transfer the taxation to some other property, whereby the grievance might be removed, and the Church be benefited? He might be asked, "Why stir the question at this time, when opinion was tolerably quiet?" Such was the most proper time for legislating on the subject; for nothing could be more unconstitutional than to give up taxes to agitation, and to nothing else. It was much better that that House should lead public opinion, than be led, or rather driven, by it. They ought to watch the indications of public opinion, which were now tolerably evident; and they should then proceed to act. It might be said there were no complaints. Why was this? Because the tax was generally evaded in large towns: it was only in small agricultural districts that it was seriously felt. In 1837 no less than 2,328 petitions, signed by 674,719 individuals, had been presented against the grievance; and he had no doubt that the Dissenters felt as strongly on the subject now, though the petitions were certainly less numerous. It was difficult to form an estimate of the amount of this tax, which some years ago was about half a million; for the returns furnished on the Motion of Sir J. Easthope gave no idea of the real state of the case, and only served to throw dust in the eyes of the public. Where a tax created more private pain than public good, it ought to be abolished. That principle had already been acknowledged and acted on in reference to several customs duties. He was quite certain that nothing but the abolition of church rates in their present form would be satisfactory; it was competent to any hon. Member to propose any substitute he thought proper. In the parish of Islington, with its large population—between 25,000 and 30,000—so strongly was the necessity of avoiding unpleasant collisions of feeling among the parishioners felt, that a clause was introduced into a local Act (2 William IV., c. 26), by which the pewholders in the parish church were assessed for the current expenses; and by this enactment the peace of the parish had been preserved. Why should not that system, which had worked so well, be extended, at least, to parishes similarly situated? He felt that he ought not to conclude without giving the House an idea of what Dissenters did for their own churches. The *Congregational Magazine* for December, 1835, on evidence which could not be impugned, stated the numbers of dissenting congregations—including Independents, Baptists, Presbyterians, Methodists, Roman Catholics, and Home Missionary stations — at 8,114. Now, there were then 11,825 Episcopal churches. By an elaborate calculation the average income of dissenting ministers was shown to be 120*l.* Their incomes usually ran from 70*l.* to 600*l.*, and even upwards. The whole amounted to 925,540*l.* The cost of building and repairing chapels was shown to be at least 1,000,000*l.* Then district visiting societies were calculated to raise 168,240*l.*; theological academies, 30,000*l.* Add to this about half the amount voluntarily raised by the great societies for the spread of the gospel abroad, that is, 268,925*l.*; the total would be 2,392,705*l.* Respecting three of the denominations the following particulars were supplied:—Wesleyans —Members in Great Britain, 338,861; ditto in Ireland, 23,142; ditto foreign stations, 97,451; total, 459,454: ministers, 1,195; in Ireland ditto, 163; foreign, 368; total, 1,726. Missions in almost all parts of the world. A regular organisation by means of districts, circuits, and committees of building, education, and other incidental purposes. Independents in England—Ministers (over) 1,550; in London alone, chapels, 138; colleges, 17; schools (public) 13. Baptists—Number of churches in the united kingdom, 1,911. List of associations in 1848 — Sunday schools, 1,548; children, 92,034; missions, 4; Bible Translation Society, 1; colleges, 8; other societies, 6. The next argument was that the tribunals before which cases were brought were the magistrates at petty sessions and the ecclesiastical courts. These magistrates were often clergymen of the Church of England; and it was extremely unsatisfactory that the rating of Dissenters should fall under the cognisance of the clergymen of a different sect. He need not discuss the merits of the ecclesiastical courts. The objections which existed against them were known to all. There was some expectation that the Government would bring in a Bill to place them on a different footing; but he regretted that there was no announcement of such a measure. He had now thrown down the subject, and he hoped it would meet with support from both sides of the House. It was most desirable that the question should be satisfactorily settled. All, he believed, agreed in that. He trusted, therefore, that hon. Gentlemen would come forward to mitigate the evils which he had detailed to the House, and with that view he had brought forward the Motion of which he had given notice.

Motion made, and Question proposed—

"That it is the opinion of this House, that effectual measures should be immediately taken for the abolition of Church Rates."

MR. W. P. WOOD said, that he regretted that he had not been able to hear the greater portion of the statement of the hon. Member who had brought forward the present subject. The subject was one of considerable interest, and one which he felt must, sooner or later, be discussed by hon. Members. He did not know that he quite concurred in the sentiments which he understood the hon. Member for Tavistock had expressed with respect to the conscientious scruples of the Dissenters. He did not, however, measure their consciences by his own, and he felt constrained to give them full credit for the scruples which they said they entertained. For his own part, as a member of the Church of England, he confessed that if he had received property charged with a rate for the maintenance of Baptist, Wesleyan, or Roman Catholic edifices of worship, and if that charge had been made upon the property from the earliest time, he should not have conceived his conscience to have been in the slightest degree affected by the payment of that rate. There was undoubtedly a legal right by which the rate could be enforced upon every property in every parish; and, on the other hand, there were objections to the present state of the law on the subject, affording, as it did, so many opportunities of evading the payment of the rate. Parties meeting together to impose and assess the rate, had, somehow or other, a feeling generated in their minds, that it was a voluntary act on their part to make the rate. It was not every person who could take the legal distinction which existed on this subject, or could be convinced that it was their imperative duty to make a rate. Many of the parties engaged in making the rate would say, plausibly enough, that if they were to make a rate, they were to express an opinion upon it—to decide in favour of, or against, it—hence scruples arose in many minds upon the subject. The law upon this part of the subject was very unsatisfactory; if the majority assembled to make the rate decided that no rate should be made, their votes were thrown away, and the minority might, under certain circumstances, bind the majority; and if, by the exercise of a little more tact, the meeting was marshalled so as to pass by a majority a very small rate, they would then secure themselves from the penalty which would otherwise attach to their refusing to make a rate; and, unless there were some clear and positive evidence of the surveyor, or other person competent to give an opinion, an illusive rate might be made, and the consequence would be, that the fabric of the church would not be maintained in such a condition as the services of the building required. For his part he would wish to see the buildings of the Church kept at least in such a condition as he was accustomed to see his own house. In parishes where there was a large preponderance of Dissenters, it was not surprising that rates should be made which were not sufficient to keep the building in a state of suitable repair. That being the case, he had for a long time thought that it was absolutely necessary that some measure should be adopted for placing this subject upon a more satisfactory footing. He could not concur in the opinion of the hon. Member for Tavistock, that they ought to abolish church rates altogether. He saw no reason why that ancient mode of repairing the buildings of the church should not at least be continued in force with respect to all persons who partook of the advantages of the Church. He could not understand why persons who occupied a pew in a church, or attended upon its ministrations, should not contribute their fair quota to the maintenance of the building in a state of suitable repair. He certainly could not understand why any Dissenter, who held the office of churchwarden—it was well known that in the northern districts there were many such churchwardens — should be exempt from contributing, and why those who belonged to the Church should not contribute their quota. With respect to the case of Dissenting disputes, although he did not go the full length of concurring in their scruples, he still thought that it would be impossible, looking at the state of the country, to continue any longer the present mode of imposing the rate. That ancient practice of imposing the rate was established when the whole body of the community were of one faith. There was now a large portion of the community who would not avail themselves of the ministrations of the Church. He thought they were entitled to say that they held conscientious scruples upon the subject, because they found that large numbers of the Dissenting community contributed, upon an extensive scale, towards the erection of other buildings for worship, and by so doing had given proof of there being, at all events among a considerable portion of them, no reluctance merely on the ground of expense to do what they thought right towards the erection and maintenance of buildings for the worship of the Supreme Being. That being so, the state of the country must be considered as very different from that in which it was when no such buildings as they were now erecting were suffered to exist. It could, therefore, be scarcely desirable that that precise state of the law, as it then existed, should now regulate a state of society so exceedingly different. From what source then were the funds for the repairs of the church to be derived? It had been said that the church leaseholds should be applied for that purpose. They had recently had a debate, which showed very clearly that there existed abundant means of disposing of that fund, in removing the present enormous amount of spiritual destitution which existed in the country; and he was most adverse to directing any of these funds towards the support of the fabric of the church. It had also been urged that voluntary contributions might be relied upon for that purpose. To a great extent that system had been adopted, and church-building to a large extent had been carried on upon that principle; but there were persons who had very erroneous opinions of their duty—who, although desirous of attending Divine worship, and who would not by any means exempt themselves from it, still were not very deeply impressed with a sense of the necessity of seeing everything done which could render that worship decorous, solemn, and appropriate. Many of those persons were exceedingly backward in contributing their proportion towards the maintenance of the church. He saw no reason why such persons should not contribute their portion towards the maintenance of the buildings of the Church. Upon the present occasion he should best satisfy his own mind if he proposed an Amendment upon the Resolution of the hon. Member for Tavistock, which he thought would meet the object he had in view. He would propose to omit from the Resolution all words after the word "for," and to insert, in lieu thereof—

"discharging persons dissenting from the Church as by Law established, from contributing to

Church Rates, and from taking any part in levying, assessing, or administering the same."

He was aware that difficulties might be suggested to the carrying out of this principle; but he did not think they were insuperable. Persons wishing to claim the benefit of the exemption might be allowed to do so upon registering themselves as Dissenters, stating the place of worship at which they attended. All parties so registering themselves would, of course, be incompetent to fill the office of churchwardens, or to vote upon any subject connected with the church rates; or, if the principle was carried out further, they might be prevented from occupying any pew in the church. It might be said that the effect of this plan would be to place a premium upon dissent, by inducing persons to register themselves as Dissenters, in order to avoid the payment of the rate. He did not think that it would have so injurious an effect in that point of view. He had known cases where the rate had been refused, and the parties opposing the forced rate had voluntarily come forward with contributions to assist in the maintenance of the building of the church; and, on the other hand, he had known those who had supported the forced rate who had refused to render any voluntary assistance. The disadvantage resulting to the Church from losing the assistance of those lukewarm supporters who, to avoid the payment of 15*s*. or 20*s*., would register themselves as Dissenters, would not be very great. By adopting the principle of his Amendment, they would at once get rid of all the heart-burning and disputation which constantly arose upon the subject; they would always have an effectual rate when any rate was made; and no person could say that he was in any way oppressed by the rate which would be levied, because it would be optional with him, if he had any scruples of conscience upon the subject, whether he should avail himself or not of the benefits allowed in such cases. He was most desirous of seeing this question put into some train for settlement; and he was glad to have had an opportunity of bringing forward, by way of Amendment, that which had occupied his attention for a very considerable time.

Amendment proposed—

"To leave out the words 'the abolition of church rates,' in order to add the words 'discharging persons dissenting from the Church as by law established from contributing to church rates, and from taking any part in levying, assessing, or administering the same.'"

Mr. HEADLAM, in seconding the Amendment, regarded it as a satisfactory settlement of a complicated question. There were large numbers of persons who entertained conscientious objections to contribute towards the maintenance of the fabric of the parish church, and it would be no longer possible to maintain that system. In the town which he had the honour to represent, many Dissenters had contributed in a voluntary form that which they had refused under a compulsory system. It was a matter of fact that there were a very large number of persons who conscientiously objected to the payment of church rates; and he did not think that it was even to the interests of the Church itself, that it should be supported by the forced contributions of those who objected to payment of these rates. He saw no reason, however, why those belonging to the Establishment should not be compelled to contribute; and he thought the Church of England had a sufficiently strong hold on the community not to be prejudicially affected by limiting the contributions levied for the purpose of maintaining the fabrics of the Church to those who did not choose to allow themselves Dissenters.

Mr. RICE had listened to the speech of the hon. and learned Member for the city of Oxford with great satisfaction, for it had relieved him from a very great difficulty under which he had always laboured in reference to this subject. He hoped the hon. and learned Member would follow up his Amendment by a Bill. He would venture to throw out, merely as a suggestion, that a general rate might be made throughout the country for the maintenance of religious edifices, the contribution to be applied to the church of the contributor.

Mr. AGLIONBY could not say that the hon. and learned Member for the city of Oxford had relieved him from any difficulty; on the contrary, he had placed him in a still greater one than before. The great objection to the resolution of the hon. and learned Member for Tavistock was that it was too vague, and many were disposed to say that it should have been followed up by some definite or specific proposal, by which means would be pointed out of supplying the defect that would be thereby occasioned in the funds for the maintenance and repair of the edifices of the Church. His desire was, that such rates should no longer exist; but he certainly contemplated the substitution of some other mode of maintaining the edifice and performing the services of the Church. The hon. and learned Member for the city of Oxford had, however, taken the House by surprise, as he had proposed an Amendment of the greatest importance, without having given the slightest previous intimation of his intention. He found there was something wrong at the bottom of his Amendment, and that it would not give satisfaction generally. He (Mr. Aglionby) certainly was not prepared to vote for it, and was rather disposed to support the original resolution, and have that followed up by some substitution. One objection to the hon. and learned Member for the city of Oxford's Amendment was, that it would be a premium upon dissent; but it had been urged by the hon. and learned Gentleman that such an allegation would be a reproach to dissent; and he had followed it up by saying that the Dissenters as a body were too honourable to take advantage of such a plea to escape the payment. He added, that he had known instances of Dissenters having refused to vote for a church rate, and afterwards having made a voluntary rate among themselves for that purpose. He feared, however, that the proposition might operate in this way, that many persons not being Dissenters, but members of the Church of England and landowners, might pretend to be Dissenters, in order to get their land freed from the payment of church rates. It was urged as an objection that the parties had purchased their land at a lower rate as being subject to that tax; but the objection would be still stronger if the Dissenter was allowed to go free, and the Churchman still obliged to pay. For his part, he thought there might be an amendment upon that of the hon. and learned Member for the city of Oxford, and he hoped the hon. and learned Gentleman would exercise some judgment and discretion upon it, now that he was in a position to turn those suggestions to account, as a Member of the Committee appointed to inquire into Church property. He reminded the House, when some years ago a noble Lord (Lord Monteagle), then Chancellor of the Exchequer, proposed to the House a substitute for church rates, by which they would relieve not the Dissenters alone, but the Churchmen also. He proposed that the church property itself should pay the rates, and that the Church should obtain the additional revenues for that purpose by the enfranchisement of all leasehold ecclesiastical property. The proposition went off, not because the principle was not a good one, but because the Chancellor of the Exchequer chose to take down his books, and got his actuaries to make calculations by which the leaseholders would be charged 50 per cent more than they were entitled to pay. If that proposition were put before the House in a just and satisfactory way, he thought those parties would be willing to accept it, and that it would meet the difficulty of the present question. If that were done by establishing an equitable valuation of this property, the effect would be to set at rest the present disputed questions which had raised between Churchmen and Dissenters the most bitter controversies, while it would give a largely increased revenue to the Church. He thought he had in that suggestion given the hon. and learned Member for the city of Oxford a much better plan than his own, which would relieve all parties, and enable the Church to repair and keep in order its own fabrics. He should be prepared at all times to give his best attention to any plan which would continue the maintenance of the edifice of the Church, and at the same time relieve every man who had a conscientious objection to the payment of these rates.

Sir G. GREY hoped that the House would not now be led into a discussion on the question which had been adverted to by his hon. Friend behind him, with respect to the management of church property. The question referred to the House for consideration was of an entirely different character; and it would be time enough to consider whether the charge now borne by church rates, for the maintenance and repair of the fabric, should be borne by funds derived from other sources, when a distinct proposition to that effect should be laid before them. The two propositions already formally before the House were assuredly wide enough for their present consideration. With regard to the first proposition which had been made, he certainly was not prepared to give it his assent. He did not understand that the hon. Member for Tavistock had in contemplation any plan by which he proposed to supply the deficiency which would be occasioned by the abolition of church rates; and indeed the hon. Member went so far as to say, that no plan which had been hitherto proposed could be accepted by those who alleged that they had conscientious scruples against the payment of church rates. With regard, however, to the Amendment of the hon. and learned Member for the city of Oxford, he was prepared to admit, with him, that it was most desirable to put a stop to the scandals which arose in populous parishes owing to the conflicts between Churchmen and Dissenters on the subject of church rates. At the same time, in looking for any remedy that could be devised to meet this evil, and considering the failure of every attempt that had hitherto been made to suggest a satisfactory remedy, he turned with disappointment to the proposition of the hon. and learned Member for the city of Oxford, which was but a reproduction of that made by the hon. Member for Finsbury nine years ago, when he moved for leave to bring in a Bill to exonerate Dissenters from the payment of church rates. The hon. and learned Member for the city of Oxford proposed that a declaration should be made by parties who dissented from the Established Church, of their difference in religious tenets, and that they should then be exempted from the payment of church rates, to which parties not making this declaration should be bound to contribute. Now, he must say, that the objection which had been already urged against this proposition—that it would be a premium on dissent—was a most formidable one. He did not mean to say that persons would profess dissent with a view to exempt themselves from the payment of church rates; but he would illustrate the objection by a reference to that part of the country with which he was best acquainted—namely, the north of England. It happened that there were many members of the Church of England occupying farms which lay intermingled with farms occupied by Presbyterians, with whom they lived on terms of great harmony and amity, the one frequently sharing in the religious services of the other. Now, if any of those persons found that, by professing themselves to be Presbyterians, and abstaining from going to church, they would escape the payment of church rates in respect of the land which they occupied, a temptation would certainly be held out to them to withdraw altogether from any participation in the services of the Established Church. It should be observed, also, that though the party thus seceding might reap the benefit at the time, the advantage would ultimately be with the landlord, whose land would become the more valuable from its occupation by a professing Dissenter. Without going further, therefore, into any argument on the general question, he must express his regret that his hon. and learned Friend the Member for the city of Oxford had not been able to suggest some other more feasible remedy; and he thought that if his proposition was to come before the House at all, it ought to be brought forward in a different shape, as a Bill, and not as an Amendment upon a resolution. He could now only reiterate the opinion which had been expressed by himself and others in that House, that it was very desirable to apply some remedy to the evils of the present state of things; but looking at the different proposals which had been made, and the manner in which those proposals had been received, he was not very sanguine that any satisfactory remedy would be easily discovered.

Colonel THOMPSON said, he had been instructed to support the Motion of the hon. and learned Member for Tavistock, and he should shortly state the reasons upon which he conceived those instructions to have been founded. The instructions came from men of wealth and liberality unbounded—from men of great ability and intelligence—and he thought their form of expression rather ominous. He was told by those who instructed him that ever since the year 1836 they had in their own district practically abolished church rates; and they said that the liberty which they had achieved for themselves they wished to extend to others. Thus it appeared that liberty from church rates might be achieved. But why were church rates so loudly complained of? Simply because they were deemed an injustice to the Dissenters. In reply to that, it was alleged that the Dissenters had purchased their properties subject to church rates. But he would ask, had all the Dissenters purchased all the estates which they possessed? Surely some Dissenters inherited their properties from fathers who said to them, "This church rate was a robbery on me—it was a robbery on your grandfather before me—it was a robbery as far as human memory extended. I hand down this land to you with a protest against church rates, and I enjoin you to resist them to the utmost of your power." Under such circumstances it would not be denied that church rates were a hardship upon Dissenters. In reply to that, however, it had been said, and often repeated, that church rates were legal. Doubtless they were legal, but that was not the question. All the heretics burnt in Smithfield were burnt legally.

The question was not whether church rates were legal, but whether they were just and expedient. In his opinion, laws which excited so much discontent could not stand, would not stand, and, perhaps he might add, ought not to stand.

Mr. HUME said, that when it was formerly proposed that the burden of church rates should be transferred to the Consolidated Fund, he strongly objected to that proposal. At the same time, he had always thought it desirable that some remedy should be adopted. He admitted that the land was charged with the payment of church rates; but, considering the effects which had been produced in a great many parishes, he thought sound policy required that such unpleasant proceedings should be stopped. He agreed with the hon. and learned Member for the city of Oxford that those who attended the Established Church should not be exempted from contributing as heretofore; but it was desirable to provide for the alternative. The right hon. Baronet the Secretary of State for the Home Department had, on a former occasion, shown the injustice of church rates; and he (Mr. Hume) could, he thought, count on the Treasury bench five or six hon. Members who had voted for their absolute abolition.

Sir G. GREY said, the hon. Member was mistaken so far as he was concerned.

Mr. HUME said, 80 hon. Members in all had voted for Sir J. Easthope's Motion. The proposition of his hon. and learned Friend the Member for the city of Oxford appeared to him perfectly satisfactory, providing sufficiently for the maintenance of the Church, while it released Dissenters from the unpleasant situation in which they were placed. He should support the Amendment in the belief that it presented the best means of getting out of the difficulty.

Lord DUDLEY STUART congratulated the hon. Member for Tavistock on what had passed in this debate: for, of all those who had spoken on the subject, not one had attempted to defend the continuance of church rates, and therefore it might be concluded that before long they would be put on a different and a better footing. He confessed that the views of the hon. and learned Member for the city of Oxford agreed, in a very great degree, with his own; because, while he felt the necessity of making provision for the repairs of the churches, he was extremely anxious that Dissenters should be relieved from a burden which they felt to be a grievance. It was in vain to tell them that this was a tax on property which had been considered when their property was acquired. They knew that when the collector came round they had to put their hands in their pockets; and they considered any compulsory payment for the support of a church from the tenets of which they disagreed, as partaking of persecution. At the same time, he thought the House would not be justified in abolishing the means of maintaining the fabrics of the churches, without providing a substitute. He knew there were men in that House, and also in the country, who were desirous of severing the union between the Church and the State, and overthrowing the Church Establishment entirely. But whatever it might be right to do if you were called upon to begin entirely *de novo*, and to frame institutions for a perfectly new country—and as to what might be fitting in such circumstances he gave no opinion—he thought that in the present state of things, considering the associations connected with the Establishment, and the habits, opinions, and feelings of the nation, very few men were to be found in that House, or elsewhere, who wished to overthrow the Established Church. Now, if there were an Established Church, it was only reasonable that the State should make provision for the repairs of the buildings; and he was desirous of seeing some plan proposed by which that object might be obtained without doing violence to the consciences of the Dissenters. That appeared to be the aim of the Amendment proposed by the hon. and learned Member for the city of Oxford; but he (Lord Dudley Stuart) was unwilling, on a subject which required much consideration, to give a vote in favour of an Amendment which had been brought before the House without notice. Before he came into the House he had some notion of moving an Amendment on the resolution himself. [*A laugh.*] Hon. Gentlemen laughed; but if they would have the kindness to hear him out, they would see that there was no ground for even a smile. He had relinquished his intention, because he thought it was hardly fair to the House to ask it to agree to an Amendment on so important a subject without notice; and that, at all events, the Amendment, under such circumstances, would not be very likely to receive much support. If he might venture to give any advice to the hon. and learned

Member for the city of Oxford, it would be, that he should withdraw his Amendment, and then they might come to a division on the original Motion. His hon. and learned Friend the Member for Cockermouth had made a suggestion, that at the end of the resolution declaring that church rates should be abolished, these words should be added, "and a substitute provided." He did not know whether his hon. and learned Friend meant to move that addition as an Amendment. If, however, the original Motion should be put as it stood, he (Lord Dudley Stuart) must be understood as voting for it merely in order to affirm the principle that Dissenters ought to be relieved from the payment of church rates; and he was anxious to guard himself against being supposed indifferent to the obligation of providing in some mode or other for the necessary repairs of the churches. At present, they were only called upon to vote upon a resolution. Whenever a measure was introduced on the subject, he felt sure that the House would require that it should contain some provision for keeping the churches in a proper state of repair.

Mr. C. W. MARTIN said, that in the borough which he represented very fierce struggles had been going on for many years on the subject of church rates, the Conservative party having felt it their duty to take their stand upon the law of the land, and not surrender what they considered to be a most important principle. A church rate not having been levied for a considerable number of years, the principal church of the town was in a very dilapidated condition, and one of the churchwardens paid for some repairs out of his own pocket. At last, however, the Churchmen had been reluctantly compelled to surrender altogether the principle for which they had contended, rather than that the church should fall about their ears; and they undertook to rebuild it by a voluntary subscription. That subscription, he had great pleasure in saying, had filled with considerable alacrity, and no difficulty whatever was found in raising a sum of 5,000*l.* or 6,000*l.* He thought it right to mention this fact to the House; but, at the same time, he considered it his duty to point out to Her Majesty's Government the evil involved in the surrender of an important principle, and the danger which must result to the Church if the precedent set by the borough of Newport should be generally followed.

Sir W. CLAY remarked, that the real question before the House was, not what the present state of the law was, but whether the law now in existence was a just law. That law, as his hon. and learned Friend the Member for the city of Oxford had stated, might have been, and no doubt was, a just law when it was first enacted, because the people of this country were then all of one faith; but now it was most unjust that a tax should be imposed on the whole country for the benefit of a portion only of the community. What made it particularly hard upon the English Dissenters was, that in a part of the empire the Nonconformists were exempted by law from the payment of this tax. In 1833 a law was passed by which church cess was abolished in Ireland, and the sums necessary for the purposes to which church cess had been applied were provided from other sources. There was another important point to which he wished to advert. When the law was passed which permitted marriages and baptisms to be registered, though the ceremony was not performed within the walls of the Established Church, the Legislature took away the last ground for contending that Dissenters derived any advantage from the Establishment. But he was not curious to find out arguments for asking Dissenters to pay church rates. He would frankly confess that, as a member of the Church of England, he was ashamed of the thing. He was ashamed that the members of the most richly endowed Church in the world, which comprised within its ranks the wealthiest among the higher and even the middle classes of society, should apply to the poor Dissenting shopkeeper to furnish the sacramental bread and wine, to pay for the warming and lighting of the church, and the washing of the clergyman's surplice.

> "Pudet hæc opprobria nobis
> Et dici potuisse, et non potuisse refelli."

It would be disgraceful to all Churchmen if they could not find means to maintain the fabrics of their own Church, and to provide means for the due performance of such humble duties as those to which he had referred; and he could not but protest against the continuance of a tax which was of no importance in itself, though it had the greatest possible effect in keeping alive a spirit of hostility to the Established Church.

Mr. GOULBURN said, that the House had been employed on many occasions in considering how means might be devised to rescue, through the intervention of the Established Church, the multitudes who had grown up of late years in utter ignorance of the truths of religion; and when, therefore, the hon. Baronet who had just sat down talked of the Church being so rich that it ought to have thrown upon it the maintenance of the fabric, he must ask him to show that the funds at the disposal of the Church were more than adequate to supply the wants of religious instruction. They were all sincerely labouring to make the means of the Church sufficient for that object, and yet the hon. Baronet wished to divert from it a portion of those means for the benefit of a certain class of landed proprietors whose lands had been subjected to the charge in question from the earliest times. If land were subjected to this charge, why should the occupier be relieved from it more than from any other local burden? Those who inherited land inherited it subject to church rates; and those who bought it purchased it at a lower price than would have been paid if church rates had not been leviable in respect of it. Having stated this much in answer to the hon. Member, he did not wish it to be supposed that he was not ready to consider what means could be devised of putting church rates on a footing acceptable to all classes of the community. He had no wish to exact taxes from individuals who really considered it a matter of conscience to resist their payment; but it was impossible to listen to the discussion which had taken place without feeling satisfied that it would be most unwise for the House to give their sanction to the resolution. The hon. and learned Gentleman who proposed that resolution, called on the House to affirm distinctly that they would abolish church rates. Many of the hon. Members who followed him said that in voting for the abolition of the church rates, they meant in their minds that some substitute should be provided. If, however, they put on the journals of the House a resolution declaring that church rates ought to be abolished, that would be the letter of the bond, and Churchmen would be told, that whether a substitute could be found or not, the doom of church rates was sealed. But if there was to be a substitute, what substitute were they to have? The hon. and learned Member for the city of Oxford had proposed that the property of Dissenters should not be liable to church rates. Had that proposition proved acceptable to the House? It was obviously open to the objection which had been urged against it by the right hon. Baronet the Secretary of State for the Home Department, which had not been answered; and even in the mind of the hon. and learned Member for the city of Oxford himself there must have been some doubt about the merits of the plan, as he had thought it necessary to guard it with so many regulations. Other substitutes had been proposed, and of them he would only say at present, that at least the House was not in a position to express an opinion upon them, without having the details before it. They had, therefore, ample reason to reject this abstract resolution, and to ask those who considered that they had a remedy for the evils which church rates had occasioned, to bring in a new Bill, and show in what way the maintenance of the fabrics of the Church was to be provided for, and how justice was to be done to the public at large, as against those who had property liable to the rate. For these reasons, if no others, he should resist the resolution.

MR. BRIGHT said, it could not have been otherwise than gratifying both to those hon. Members who were Dissenters, and to those who were sincere Members of the Church of England, to observe the manner in which the question had been discussed. It was desirable that this question should be settled clearly and distinctly, and this with the least possible delay. There had been various projects suggested to the House on former occasions and in the course of the present debate; among these the proposition of the hon. and learned Member for the city of Oxford was certainly entitled to great attention, though, from what he knew of the condition of the population in the parishes of the north of England, and he believed the case was pretty much the same elsewhere, he doubted considerably whether any such plan as that of the hon. Gentleman's could be worked in such a manner as even to mitigate the evils arising out of the present state of this question. There were many difficulties surrounding the matter; and these difficulties would certainly not be lessened by the endeavour to separate, in the manner suggested, the population of large parishes into Dissenters and Church people. More than this, there was involved in his hon. and learned Friend's proposition a principle which he could not admit; he would never consent that Dissenters, because they were Dissenters, were in any degree to be shut out from any participation which they might at some future time have in the property of the Church, or its management. It might become hereafter a question what was to be done with the funds which the State now entrusted to what was called the National Church; and he could not consent that Dissenters, as such, should be dispossessed of their equal interest in whatever course should then be adopted. The difficulties of the subject had been long since understood and acknowledged, and had more especially been the subject of discussion in that House ten years ago; it was matter of regret that these difficulties had not before this been removed; and the question, so full of evil as it was in its present aspect, settled. As the matter stood, after the best consideration he could give it, the result to which he had come was this, that either the fabrics of the Church must be maintained by funds derived from an improvement, which was largely practicable, in the value and consequent rental of church property itself, or the question must remain as it was, the source of constant agitation and bitter heartburnings and hostilities, until the members of the Church themselves, for their own sakes, consented to maintain their own churches, or, at all events, to allow the rate for that purpose to be a voluntary rate. Already this was the position the question assumed in many parishes. At Manchester there had been for years incessant disputes on this subject, and, at last, finding that they could not get a rate, or, if they did, that they could not collect it, they put into the tax-paper a line—"Optional church rate," and those who objected did not pay. A compulsory rate had not been levied for many years; the fabric of the Church had been supported altogether by voluntary contributions; yet the church of Manchester—the cathedral, he should rather say—was now in, to say the least, as good a condition as when the rate was compulsory. In Rochdale, again, the churchwardens spent, some years ago, 700*l.* or 800*l.* a year of church rates, no one knew how, but it was rumoured that much of the money went in jovial living; after a while, by dint of closer supervision this 700*l.* or 800*l.* was reduced to 250*l.*; and this again to 200*l.*, and 1840 saw the last contest for church rates that ever disgraced the borough, and injured the cause of Christianity throughout that district. A disgraceful scene, indeed, it was. More than 12,000 votes were given on the occasion. Eight or ten miles of country around were in a state of excitement never approached by that of any Parliamentary election that he had ever witnessed in it. Previous to the close of the poll the streets were crowded with thousands of people, and the vicar and the magistrate called out the troops. The vicar had kept the poll open, under some pretext or other, longer than the time at first announced; the discontent was doubled by this proceeding, and after the close of the proceedings the vicar was to be seen, as he passed through the town, surrounded and followed by 8,000 or 10,000 of those whom the law called his flock, hissing and hooting him, in a manner that must have been distressing and agonising to any one who had the slightest care for the Church or for Christianity. This was a scene which, with certain differences, according to circumstances, had been acted in many parishes throughout the country, and would be acted in many more, unless, and until, the system was changed. It was not long ago that a person was pursued for church rates by the churchwardens in the town of Cambridge. They did not distrain on him, but hunted him into the ecclesiastical court; and, finally, imprisoned him, on the ground of contempt of court; and he was only liberated by the intervention of the Secretary of State for the Home Department. And in this city, a place of worship, belonging to a body of Dissenters, is almost annually stripped of its furniture—chairs, tables, and forms are taken away by the agents of the law acting in the collection of rates on behalf of the Established Church. This state of things must be not only injurious to the Church, but it also must be injurious to religion itself. No persons had been able to injure the Church by their writings to nearly the extent that it received by such conduct as he had described. He was persuaded that the writers who denounced religion and denied Christianity received their strongest arguments from such proceedings, by which the members of the Church were enabled by law to dispose of the property of those who dissented from it. It was with no hostile feeling to the Church as a religious body that he would ask the House to consider this question as more important than it might seem from the rather brief discussion upon it that had taken place on the present occasion. He would earnestly desire to impress upon the House his sincere conviction, that, never since Christianity began, had there been a man, or set of men, able enough, or wicked enough, to do that injury to Christianity which was done to it by the system which was now sought to be put an end to. He was persuaded that, wherever these abuses existed—wherever a disregard for religion—an indifference, not to say a contempt, for Christianity existed, this feeling derived strong argument from the conduct of those who, professing and calling themselves Christians, put an arbitrary law in force as the means of forcing the consciences and despoiling the property of their fellow Christians. It was from no desire to triumph over the Church, or pecuniarily to relieve the Dissenters from anything they could in justice be called upon to pay, that he asked to have this question settled on a just and amicable basis, but because he believed that for the well-being of the country there could be nothing worse than the divisions and hostilities and bitternesses which arose from religious bickerings; and believing further, as he did, that there was a large portion of the people who judged Christianity much more by the acts of those who professed it, than from the principles which were laid down in the book whence was drawn the knowledge of it, it was perfectly clear that all attempts to Christianise them, to elevate them morally or religiously, were counteracted to an alarming degree by such scenes as those to which he had adverted. He should give his vote in favour of the Motion of the hon. and learned Member for Tavistock, because he considered it desirable that the House should express an unequivocal opinion on the subject. He would only add, that he was not one of those who desired that the fabrics of the Church should go to decay; all he meant to say was, that he believed the property of the Church itself was fully sufficient to meet the charge, and that he considered the Church should meet it.

SIR R. PEEL observed, that the hon. Gentleman who had just sat down said very truly that the discussion on the important matter under their notice had proceeded with great temper, and without asperity. That was an additional reason why they should not be hurried into a hasty decision on the question by supporting a resolution which was in point of fact a condemnation of the existing law. It was easy to deal with matters of this nature by means of a resolution; but the introduction of a Bill gave frequent opportunities for the consideration of the subject. The assent to the first or second reading of a Bill did not imply a final adoption of it; a resolution once passed was a pledge from which they could not recede. It was the hasty adoption of a principle, after a discussion of, perhaps, only one or two hours, from which the House of Commons could not subsequently withdraw without the confession of inconsistency. What would be the situation of the House of Commons if the resolution passed, and a Bill would be necessary to carry it out? Suppose they failed in passing the Bill in consequence—suppose the substitute offered for church rates not being satisfactory, or from any other cause, there would still remain the resolution in favour of the abolition of church rates. They must either leave that resolution a dead letter on the journals, or they must make another effort to give practical effect to it. The Member for Manchester admitted that the fabrics ought to be maintained; but he did not tell them from what source. [Mr. BRIGHT: I did tell them.] Yes, the hon. Gentleman suggested that they ought to be maintained out of a fund to be created by improving the property of the Church; and there had been various other suggestions of a similar kind made, all of which amounted to admissions that church rates ought not to be abolished without finding a substitute for them. The very difference of opinion which existed on this subject ought to be a reason for not adopting this resolution. He thought that the objections raised by the right hon. Baronet the Secretary for the Home Department, and by the hon. Member for Manchester, were conclusive against the adoption of the Amendment proposed by the hon. and learned Member for the city of Oxford. He could conceive nothing more objectionable than to have in each parish a formal record of the religious distinctions between Dissenters and Churchmen. It would be said that the object of those who described themselves as Dissenters was to be released from the payment of church rates. The simple avowal of dissent for such a purpose was in itself a great evil, not compensated for by gain in any other respect. It was proposed, and rejected, ten years ago, and no new reason had been urged since that time for its adoption. Another suggestion was made previously to that time by Lord Althorp, by which he proposed to get rid of church rates by paying the amount out of the Consolidated Fund. At present the church rates chiefly fell on those who were connected with the Church.

In the rural districts, at least, they fell mainly on the owners of land. If the charge were transferred to the Consolidated Fund, it became a common charge upon Dissenters and Churchmen. The objection to the payment of church rates, so far as it professed to rest on conscientious grounds, would apply with at least equal force to payments from the Consolidated Fund, as to the present system. At one period, if he had been called upon as a Minister of the Crown to take steps for the abolition of church rates, he should have felt that he had no alternative but to propose that the charge be placed on the Consolidated Fund; but he could not have denied that the objection on the religious ground would remain unabated. Then, on the other hand, if they left the provision for the church rate to voluntary contributions, he could not conceive anything more objectionable than that members of the Church should be relieved from payments to which they were most justly liable—the whole charge being thrown on the voluntary contributions of those who might be influenced by pious and generous feelings. The hon. Member who spoke last said that in Manchester the payment of church rates was optional, and that the churches there were in as good repair as when the rates were compulsory. [Mr. BRIGHT: I said that the Manchester collegiate church was as well maintained as when church rates were compulsory.] He thought the hon. Member had included all the churches in Manchester in his statement. [Mr. BRIGHT: No; I only spoke of one.] He wished that they should consider all the difficulties which stood in the way of legislation before they committed themselves by a hasty vote to the abolition of the existing law. If the Government thought that church rates should be abolished, and some other plan should be substituted, let them bring in a Bill by which this could be done, and let the principle and details of the measure be fully discussed. He hoped that the House would not hastily come to a resolution by which they would discharge members of the Church being landed proprietors from obligations to which they were now legally liable. What was the resolution in effect, but a resolution that the land should be relieved from this burden? If the ground of religious scruples were to be admitted in the case of church rate, what security had they that they might not next week have a similar objection urged against the payment of tithes? If you exempted the Dissenter from payment of church rates on the ground of religious scruples, why not relieve him from all contributions to the Church? The hon. and learned Member for the city of Oxford stated, that by both the common law and the statute law, the land had always been chargeable with a payment for the maintenance of the parish church. He said that there was a distinction between tithes and church rates in several respects, but admitted that a payment from the land for the maintenance of the fabric was sanctioned by the common law: was it fitting, then, that they should exempt the land from this charge by a resolution hastily passed by landowners themselves? In what state did they leave the question of church rates if they passed the resolution? They condemned the existing law, and provided no other in its place. If they pursued such a course, the existing evil would be increased in a tenfold degree. If they condemned the existing law by this resolution, and expressed no intention to provide a substitute, they would embitter all the dissensions now existing in the town districts, and excite new dissensions in half the rural parishes in England. In reference, then, to the condemnation of a law which would still remain in existence, he must strongly deprecate the sudden adoption of this resolution. The Irish House of Commons took the course now proposed with respect to the tithe of agistment. They brought in no Act to find a substitute, but by a resolution passed in a single night they abolished the tithe of agistment. They voted that any clergyman thereafter levying the tithe of agistment should be considered an enemy to his country. Having done that—having invited opposition to the clergymen in respect to the levying of that tithe—they gave themselves no trouble about providing a substitute. The proceedings of that House of Commons, the Members of which were directly benefited by the abolition of this tithe, reflected lasting discredit upon them. Let us beware that we do not incur a similar reproach. The right hon. Baronet then proceeded to say—I will not discuss the question whether or not a substitute for church rates might be found in an improved value of church property, further than to observe, that even after giving an improved value to the property of the Church, you will find increased demands for spiritual instruction on account of the immense increase of population, which the improved value of church property will not suffice to meet. I am not one of those adverse to the redistribution of the revenues of the Church. I gave a proof of this by proposing the application of the revenues of ecclesiastical sinecures to the purpose of constituting new and efficient benefices; but I repeat that, after every improvement that can be made in the value of church property, there will remain many more demands than it will be able to satisfy—demands, not for the purpose of increasing unnecessarily the stipends of ministers, but of spreading through the land the advantages of spiritual instruction. I do hope that the Gentlemen of England will not consent to relieve themselves from a burden to which their estates are now subject in order to devolve that burden on the Church. My chief object, however, is to entreat the House to reserve the decision of this matter for much more mature consideration; and, reflecting on all the difficulties of the subject, to refrain from taking a step to-night from which you may be compelled to recede, unless, indeed, you are content simply to abolish a charge which falls mainly on landed proprietors who are in communion with the Cuurch, giving yourselves no trouble to supply that substitute, the provision of which, in the event of church rates being abolished, almost all admit to be just.

Mr. OSBORNE said, that from the right hon. Baronet's manner, and from the reasons which he had given against the Motion, it would lead any one to suppose that the question of church rates had never previously been under discussion. The right hon. Baronet said, in the year 1835, in a debate on this subject—

> "With respect to municipal corporations, he was not about to say a word on that question; but without undervaluing its importance, he must observe that the subject of church rates did not yield to it in urgency. So far as any question could be important to the maintenance of social harmony, to the promotion of satisfaction among the great body of the Dissenters, there was not a single question, excepting that of the Irish Church, which so much pressed for an immediate practical settlement as this of the church rates."

He went further, for he said at the end of his speech—

> "In consideration of the interests of the Church Establishment, for the satisfaction of a large body of the people—for the accomplishment of their own pledges—to promote subordination and obedience to the law—to suppress individual complaints of grievance—surely to accomplish all these objects, a Government fit to be entrusted with the management of public affairs would, without delay, take this matter into their own hands, and not suffer the law respecting church rates to be made a theme of discussion in public meetings, and a subject of resistance by parochial martyrs for another twelvemonth."

If the right hon. Baronet was afraid of so hasty a proceeding as the adoption of this resolution, he was bound to bring forward the subject without delay, for the purposes of legislation, so that they might hear no more of parochial martyrs. On this very ground, he (Mr. Osborne) called upon the House to come to an immediate decision, and not postpone the matter from year to year. The right hon. Baronet complained that a Bill had not been introduced, instead of a resolution having been proposed. His hon. and learned Friend the Member for Tavistock merely moved "that it is the opinion of this House that effectual measures should be taken for the abolition of church rates." The right hon. Baronet said that if the House adopted this resolution, it would become pledged to that from which it could not retract. The House then pledged itself by a resolution that vote by ballot should be adopted in the election of Members to that House. Was there any Member of that House so stupid as to suppose that it could not retract, in the present year, its vote of last year, on the introduction of the measure to carry out that resolution? It might be very good Parliamentary fencing, but it would not do. He did not think the House was bound to find a substitute for church rates. He would not deal with the subject in the pettifogging feelings of a lawyer, but he felt that for the benefit of the Church itself, this should be done; and he agreed with his hon. Friend the Member for the Tower Hamlets, that nothing could be worse for the Church of England than keeping up these church rates. What was the reason why the church-rate question did not appear of so pressing a character as it did in 1835? He believed that this had arisen from the good and moderate feeling of the clergy in many parts of the country, who had made subscriptions to meet the charge. He believed that Dr. Whitaker, of Blackburn, was the first not to press for church rates. When they found members of the Church of England giving sums of 10,000*l.* or 20,000*l.* for building and endowing a new church, would any one say that they would not exert themselves to provide means to preserve the fabrics of existing churches? Were they to be told that funds could not be obtained for the payment of church rates, when they found that the Ecclesiastical Commissioners possessed funds which enabled them to spend 143,000*l.* for building eight bishops' palaces? If the Church was only to be supported by such a mode of argument, it must, in the opinion of Gentlemen opposite, be founded, not on a rock, but on the sand. He should, in the first instance, vote for the resolution of his hon. and learned Friend the Member for Tavistock; and if it was not carried, he should vote for the Amendment of his hon. and learned Friend the Member for the city of Oxford, on the principle that he would take what he could get. If they adopted the invidious suggestion of the right hon. Baronet, for postponing the matter, the question never would be settled.

Mr. GLADSTONE remarked, that the hon. Gentleman who had just sat down, in reference to the abstract resolution before the House, stated that it was simply the duty of the House to abolish church rates, and leave the fabric of the church to shift for itself. [Mr. Osborne: No, no!] Yes, the hon. Gentleman said, that if they left the maintenance of the fabric of the church to voluntary contributions, the result would be perfectly satisfactory. During the whole course of the discussion, in which several hon. Gentlemen had taken part, the hon. Member was the first to say that it was the duty of the House to abolish church rates, and not provide a substitute for them. If the feeling was, to abolish simply church rates, and not substitute anything in their place, he could understand their supporting this resolution; but those Gentlemen who felt differently were bound to find a substitute. He agreed in all the observations which had fallen from his right hon. Friend the Member for Tamworth. There was no inconsistency in the quotation read by the hon. Member for Middlesex, and what had then fallen from his right hon. Friend. The hon. Gentleman had confounded the inquiry as to the proper course of proceeding, with the advocacy of an abstract resolution. They might proceed at least without the adoption of any abstract principle, while the abstract resolution might be an impediment to delay the subject. In how many instances had they proofs that they had not advanced a question one single step towards its settlement by the adoption of an abstract resolution? He hoped that the House had too much regard for its character, and for the interests of the country, to adopt an abstract resolution on this subject. He felt as strongly as any one the desirableness of settling this question, if they could do so. He believed that the evils attending the present system were enormous. He considered that we certainly had deviated in practice extremely from the original principle and intention of the law; the original intention of the law was not to impose a mere uncompensated burden upon any man, but a burden for which every man bearing it should receive a benefit; so that while each member of the community was found to contribute his quota to the Church, every member of the Church was entitled to go to the churchwardens, and demand a free place to worship his Maker in the house of that Maker. The case at present was, and above all in towns, that the centre and the best parts of the church were occupied by pews, exclusively for the middle classes, while the labouring classes were jealously excluded from almost every part of sight and hearing in the churches, and were treated in a manner which was most painful to reflect on. Therefore he said the law was in a most unsatisfactory state, and they were bound to give attention to all plans which were likely to give relief. While, therefore, he should vote against any and every abstract resolution on the subject, such as had been proposed by the hon. and learned Member for Tavistock, and by his hon. and learned Friend the Member for the city of Oxford, yet if his hon. and learned Friend would bring in a Bill embodying his views on the subject, he (Mr. Gladstone) should not vote against its introduction; for he thought that it would be only fair that his hon. and learned Friend should have an opportunity of laying his plan on the table of the House. Although he did not approve of that plan, still he admitted that it should be considered. He was neither for that nor any other plan which would do anything to give assent to a resolution which would only remain in mind, and which would show their incapacity of dealing with the natural difficulties of the question, and would also show their incapacity of accomplishing that which they admitted it was most desirable to attain. For the dignity of Parliament, he trusted they would do nothing whatever upon that occasion. Their giving their consent to an abstract resolution would only remain as a monument of their hasty conduct.

Lord J. RUSSELL said, the hon. Member for Middlesex gave the House rather an unsatisfactory reason for proceeding by resolution, in stating that last year we came to a resolution in favour of the ballot; for the consequence of that was that there was on the journals of the House a resolution in favour of the ballot, but no one step had yet been taken in that direction, and the probability was, that were a Bill brought in on the subject, in some stage or other there would be a majority against it. Thus there would be a resolution in favour of the ballot, and a decision of the House against it. He could not think, unless hon. Members had made up their minds that there should be a total abolition of church rates, without any other provision being made for the building and repairs of churches, that they would agree to the present resolution. If there was a decided opinion in the House, and if they were ready to pass a Bill immediately for the abolition of church rates, he might say, indeed, that it would be of no great consequence whether they proceeded by way of resolution, or gave leave to bring in a Bill. But he could not believe that the minds of hon. Members in that House were made up to that course of proceeding. He could not believe that they would now and suddenly determine that the provision for the repair of churches should be altogether abolished, and that no other provision should be substituted. He quite agreed with much that had been said of the evils of church rates as regarded the present mode in which they were carried into effect; he had more than once assisted in plans intended to promote some better system, and he should be glad if some more satisfactory method were submitted to the consideration of the House. But so far as the object of the hon. Member for Manchester went—and the hon. Member was to a great degree justified in his references to the disturbances which took place at the contested election, and in saying that they were not only disgraceful to the law as it stood, but reflected discredit upon all who professed Christianity—so far as that went, the remedy proposed many years ago by Lord Althorp to make provision for the clergy out of the land revenues or the Consolidated Fund, would have been a remedy for such evils. But although that remedy might have prevented scenes like those in parishes, it soon became obvious that the Dissenters had quite as strong objections to a fund raised by such means as to a rate raised in parishes; and, therefore, although the evil would have been removed as far as regarded contested elections, other sources of contention would have arisen in the House and in the country as to whether such a tax should be imposed, and how it should be imposed. It was, therefore, not worth while to get rid of a dispute on the one side, to create a new one on another. The right hon. Gentleman the Member for the University of Oxford thought it was to be lamented that in so many churches in the metropolis and other great towns the space should be occupied by pews, and by persons who were able to pay sums of money for seats, and who appeared there respectably dressed, thereby making it difficult for others to find places who had a claim to them, thus operating almost as a practical exclusion to a large number of persons. He (Lord J. Russell) thought with the right hon. Gentleman that this was a great misfortune; but the remedy for it would not be to abolish church rates, but to provide the means by which the church would be enabled to afford more room and better accommodation, so that the classes referred to might be able to attend. Agreeing then entirely on this point with the right hon. Gentleman, if a mode were pointed out of making provision for the repairs of the church, he (Lord J. Russell) did not agree with his hon. Friend the Member for the Tower Hamlets in the proposition he had made, as to other sources from which the fund might be collected. The hon. Member for Montrose had stated that it was a shame the church rates should be exacted from Dissenters. He (Lord J. Russell) did not so consider the matter. In the first place, there was no shame in levying church rates on Dissenters who bought lands, because they bought them subject to that charge, and it was allowed for in the price. In the second place, if Dissenters were only occupiers of land, they very rigidly calculated the burdens to which the land was subject in the shape of poor rates, highway rates, tithes, and church rates, and regulated the rent they paid accordingly. Therefore, there was no justice in these complaints. Nor could he agree that the Established Church was solely for the benefit of those who belonged to it. Apart from any ground of objection to the particular form in which the rates were levied, the general ground upon which church rates could be justified was, that the Church was established in this country, not for the benefit solely of those who belonged to that Church, but as a great tribute and national homage to religion. He knew no argument for the abolition of church rates which would not be equally good for the abolition of tithes; and if it were not proved that they were for the maintenance of a Church which was for the benefit of the whole community, he knew not how any of the compulsory payments could be justified in point of law with the abolition of the church rates alone. Therefore it was dangerous to assent to a proposal of this kind. There might be, as it was said by some, a practical grievance, and it might be necessary to take steps to prevent unseemly and disgraceful scenes recurring; but there were others who contended that as a point of principle these rates were not to be justified, and that they ought to be abolished at once for the sake of relieving the Dissenters. That last argument contained more in it than appeared at first sight, and, therefore, he should be sorry on every ground to agree to a resolution of the kind proposed. If any Member of the House would propose to bring in a Bill by which some other provision could be substituted for church rates, he certainly should not oppose the introduction of it. He could not, however, vote for such a measure as that proposed by the hon. and learned Member for the city of Oxford. The observations made by the right hon. Baronet the Member for Tamworth were conclusive against such a proposition. He must oppose this resolution as dangerous in principle, and as leading to consequences which he thought would hereafter be deplored.

Mr. G. THOMPSON was surprised at the most discouraging and dispiriting speech which the House had just heard from the noble Lord on the Treasury bench—a speech more calculated to depress the hopes of those who opposed church rates could not have been heard from the Treasury bench. Justice had not been done to the resolution before the House. All that it affirmed was, that it was necessary for some steps to be taken for the abolition of church rates. It would be competent for any other Member to suggest a substitute for the resolution; for all that it did was to pledge the House to abolish church rates, and to provide some other means for equitably raising the funds necessary for the repair of churches. The right hon. Secretary for the Home Department seemed to deny the statement made by the hon. Member for Montrose, that he had voted for a Bill to abolish church rates.

Sir G. GREY had never voted for the total abolition of church rates. He had voted for the Bill introduced by Sir G. Easthope, providing a substitute for the rates.

Mr. G. THOMPSON: As to the word "substitute," there seemed to be some misunderstanding. The resolutions proposed by the hon. and learned Member for Tavistock did not preclude any one from proposing a substitute for the rates he wished to abolish. He must say that he had hoped for greater encouragement on this occasion from Members on the Treasury bench, as so many of them had voted for a Bill for the abolition of church rates, and to make other provisions on the subject. In the minority on that occasion he found no less than four of the present Members of the Cabinet—the Chancellor of the Exchequer, the Secretary of State for Foreign Affairs, the President of the Board of Control, and the Secretary for the Home Department. Besides these, he found other inferior Members of the Government had voted for it, amongst whom were the Chairman of the Committee, a junior Lord of the Treasury, the Under Secretary for the Colonies, the Secretary for the Admiralty, the Secretary for Ireland, the Paymaster of the Forces, together with several others. One fact must be apparent, namely, that the Dissenters had a right to complain of the intolerable grievances which they now suffered; and if there were not numerous incarcerations for the non-payment of church rates, it was because there existed in the majority of the parishes a disposition to waive the question of church rates, and to find other means of supplying the funds necessary for the purposes to which they were applied. But there was no diminution of the hostility which had been always felt towards church rates. On the contrary, the delay in their abolition had excited hatred not only to that but to all other classes of church imposts. He did not believe that any substitute would be acceptable, particularly to the Dissenters, which would not have the effect of freeing them for ever from having to contribute to the repair of churches, and which did not at the same time impose that burden upon Churchmen and church property exclusively. When his hon. Friend the Member for Middlesex referred to the resolutions which had been agreed to in favour of the ballot, he only did so in order to show the House that by assenting to an abstract resolution, they did not pledge themselves, and also that it was not unusual for the House to agree to resolutions of a general and abstract nature. He gave the present resolution his most cordial support, and he would conclude by stating that he had gathered two results from the discussion, namely, that there was a general indisposition to the church rates, but that there existed a fear and an indisposition on the part of the Government to apply any remedy, which fear was grounded on their inability to carry such a remedy through the Houses of Legislature. If the fact were as he stated, he would only tell the noble Lord and his Colleagues that the Dissenters were prepared to bide their time, and to watch for that opportunity which the Government either could not or would not make for relieving the Church of England from the reproach of perpetuating so great a scandal as the exaction of church rates from men not belonging to that establishment.

Mr. HENLEY observed, that a remark had been made that less interest was felt in this question, because the usual number of petitions had not been presented against church rates. He was inclined to think that this circumstance was to be accounted for by a desire on the part of the people to obey the law when it was settled. He said, that one of the arguments by which the resolution had been defended was manifestly a wrong one. It had been attempted to be shown, that the resolution was brought forward on the strength of former decisions of the House, which decisions had been come to upon entirely different grounds. As long as the question of church rates was unsettled, the people had a right to dispute their payment. But the people were naturally inclined to obey the law as soon as any great question was settled by the law's decision; and their refusal to pay church rates only lasted until the Judges had decided, in the absence of legislative interference, that church rates were legally demandable. The strong opinions which had been expressed on the subject of church rates by the right hon. Baronet the Member for Tamworth and others only had reference to the state of things previous to the decision of the courts as to the liability of all occupiers to pay those rates; and that decision being solemnly declared, the eyes of the people became at once opened to the necessity of paying them. He felt bound, as a Churchman, to express his thanks to the noble Lord at the head of the Government for the manly declaration he had made, and the general view he had taken of the subject. He could not help contrasting the manly sentiments of the noble Lord with the sentiments of the right hon. Gentleman the Member for the University of Oxford. Both the noble Lord and the right hon. Gentleman had agreed in the fact, that a large proportion of the people were excluded from the churches of the Establishment; but the noble Lord, to his honour be it told, said the remedy was to increase the means of accommodation for the people, while the right hon. Member for Oxford University said, that he was therefore ready to support the proposition of the hon. and learned Member for the city of Oxford, and relieve the Dissenters from payment of church rates. [Mr. Gladstone: No, I did not.] He should be sorry to misrepresent the right hon. Gentleman, but he had certainly understood him to express his readiness to support a Bill of that kind. He did not deny that certain persons might have a conscientious objection to the payment of church rates; but would it be right on that account to give way to every objection made to religious imposts? Many persons considered it was wrong to carry on war; but was the House to affirm, by a resolution, that such a person was to be relieved from contributing to the maintenance of the Army and Navy? If this principle were once sanctioned, the consciences of many persons might become very much extended. He had heard many objections raised to the payment of this rate; but, strange enough to say, he had never heard it urged by a tenant when he was about to hire his land. The hon. and learned Member for the city of Oxford had given an extraordinary illustration of what persons were disposed to do for conscience. The hon. and learned Gentleman said, that Dissenters objected on the ground of conscience to pay church rates; but that if a voluntary rate were made, they would cheerfully contribute to it. Now, he confessed that he could not understand any difference in the two cases on the ground of conscience. He was not disposed to let any man off from payment who had a conscientious objection to pay, because, if that principle were once sanctioned, every man would have a conscientious objection to pay any thing. He could not for the life and soul of him understand how the conscientious scruple of a man was aroused by a compliance with a law, and was removed when the law did not constrain him. He must say, that he preferred the payment by law to the voluntary contribution; the former was the more certain of the two. Again, he said, he thanked the noble Lord for the manly declaration he had made, and which put this question on its true ground.

Mr. COBDEN: Sir, the hon. Member who has just sat down has expressed an opinion respecting the members of the Church of England, which I trust will be found not to apply to them, or to have any foundation. The hon. Member has told the House, that if for conscience sake we permit the people at large to exempt themselves from the necessity of paying church rates, the churches will never be repaired, for no one would ever consent to pay the rates. [Mr. Henley: No, no!] I certainly think the hon. Member said that such was the elasticity of the people's conscience, that if Dissenters were exempted from paying church rates, the churches would never be repaired, because no one would ever pay the rates. I therefore repeat that I do hope the hon. Member has misrepresented the great body of Church-of-England men who are in this country. The hon. Member began his speech by thanking the noble Lord the Prime Minister for the declaration contained in his speech, and he ended his speech by again thanking the noble Lord. If that noble Lord has pleased the hon. Member and his Friends on the other side of the House in respect to this resolution, he must be prepared to please them in many other measures. But I warn him that he will by so doing lose many of his Friends on this side of the House. The hon. Member for Oxfordshire argued the question as if the scruples of conscience which had formerly existed relative to church rates had been quieted as soon as it was found that the law had declared that the rate was legally demandable. But the hon. Member was wrong in his deductions from the state of the law. It was true that the rate was absolutely levied, and could not under the law be refused to be levied; but the majority of the parishioners declared what the amount of the church rate should be. There was a case in point occurred some time ago at Rochdale, where, according to the law, it was indispensable that a church rate should be made. It was proposed that it should be one farthing in the pound. But so strong was the conscientious objection to the principle of a church rate, that out of some hundreds of men who filled the church, not twelve could be found who would hold up their hands for the farthing rate, and there was some danger that it would not be carried until the assessor exclaimed, "Now, all you who are for a farthing rate, which you will never have to pay, signify the same by holding up your hands." The consequence was that the rate was carried, but it was never paid, the expense being more than the proceeds. The question is entirely one of pounds, shillings, and pence. It had been made a money question throughout; and he was not inclined to let this occasion pass without reminding the hon. Member for Buckinghamshire that they had had it from both sides of the House, from his Friends around him as well as from every other part of the House, that these church rates were an ancient charge upon the land—that it was not a local tax pressing on the present generation as an exclusive burden, from which the land should be relieved. He (Mr. Cobden) could not deny that the church rate was an ancient burden on property; but he did not put it along with tithe. Tithe was a rateable property, but church rate was a variable tax. Still he was prepared to admit that it was a charge on property; but it was a different thing to put it on the Consolidated Fund, and to remove the church rates from Dissenters, on the ground of conscientious scruples. These rates were originally made for the purpose of maintaining the Christian religion, for supporting the Church in which the Christian religion was to be taught. But what was the ground of exemption for Dissenters? It was that, being Christians, but having a different form of doctrine and prayer from the Christian Church that was established, they claimed to be exempted from paying for the support of these churches, because they had their own places of worship to maintain for themselves. All the Dissenters asked was that they should not be compelled to pay two rates—not their own rates, and your rates too. The great difficulty in the matter has been to find a substitute for this impost; and the noble Lord on the Treasury bench has said that if any such is proposed it shall have his best consideration. But the hon. and learned Member for the city of Oxford has done what the noble Lord desired, and I think his plan is not only a consistent but a just one. He proposes to exempt Dissenters from the payment of church rates, and to leave it entirely to the Churchmen to pay their own rates. I, as a Churchman, consistently pay those rates. In the manufacturing districts, the voluntary churches abound. There are in Manchester forty voluntary churches to one of the Established Church, and, notwithstanding this, no difficulty is experienced in procuring funds for their support and repair. When men frequent a church, they willingly contribute to its support. The hon. and learned Member for the city of Oxford said very truly that if there was not religion enough amongst the Churchmen to induce them to support their own churches, a sense of honour and of pride would prevent them from allowing them to fall into decay, whilst Dissenters' churches were so well supported, and they would be ashamed to see Dissenting chapels well maintained and thronged with congregations earnest enough to maintain the fabric of their places of worship, whilst their own churches were going to decay. Sir, I repudiate the sentiment altogether. I think there is no danger whatever of Churchmen shrinking from their duty of supporting their own places of worship. I believe, if you will put these church rates on the voluntary principle, your churches will be as well supported as they are now. I do not believe in that low, base sentiment which the hon. Gentleman attributes to the members of the Church of England, that they would pass themselves off for Dissenters; that they would play the hypocrite to escape this paltry tax. I do not suspect the world of such practical hypocrisy at all: men, generally, are in earnest in matters of religion. At any rate, if they be hypocrites, they, in general, take their wares to a better market than the paltry saving of the pitiful amount of the church rate. Though many of my friends will support the original Motion, I, being a Churchman, and anxious to show my desire to prevent Dissenters paying the rates of the Church to which I belong, shall have much pleasure in supporting the Amendment of my hon. and learned Friend the Member for the city of Oxford.

Question put, "That the words proposed to be left out stand part of the Question." The House divided:—Ayes 183; Noes 20: Majority 163.

List of the Ayes.

Acland, Sir T. D.
Adair, H. E.
Adare, Visct.
Aglionby, H. A.
Anderson, A.
Anstey, T. C.
Armstrong, R. B.
Ashley, Lord
Bankes, G.
Barrington, Visct.
Bass, M. T.
Bellew, R. M.
Bennet, P.
Berkeley, hon. Capt.
Berkeley, C. L. G.
Blair, S.
Blewitt, R. J.
Bourke, R. S.
Boyd, J.
Bramston, T. W.
Bremridge, R.
Bright, J.
Broadley, H.
Brooke, Lord
Brotherton, J.
Bruce, C. L. C.
Buller, Sir J. Y.
Busfeild, W.
Campbell, hon. W. F.
Chaplin, W. J.
Cholmeley, Sir M.
Christopher, R. A.
Clay, J.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Codrington, Sir W.
Cole, hon. H. A.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Cubitt, W.
Davie, Sir H. R. F.
Davies, D. A. S.
Devereux, J. T.
Disraeli, B.
Drumlanrig, Visct.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncuft, J.
Du Pre, C. G.
Ebrington, Visct.
Elliot, hon. J. E.
Estcourt, J. B. B.
Evans, W.
Ewart, W.
Fagan, W.
Farnham, E. B.
Floyer, J.
Fox, R. M.
Fox, W. J.
Frewen, C. H.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Gore, W. R. O.
Goulburn, rt. hon. H.
Greenall, G.
Greene, J.
Grey, rt. hon. Sir G.
Grogan, E.
Gwyn, H.
Haggitt, F. R.
Halford, Sir H.
Hamilton, G. A.
Hardcastle, J. A.
Harris, hon. Capt.
Harris, R.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Heneage, G. H. W.
Henley, J. W.
Henry, A.
Herbert, rt. hon. S.
Heywood, J.
Heyworth, L.
Hildyard, R. C.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Hodgson, W. N.
Hood, Sir A.
Hope, A.
Howard, Lord E.
Humphery, Ald.
Jackson, W.
Jervis, Sir J.
Jones, Capt.
Kershaw, J.
King, hon. P. J. L.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lennard, T. B.
Lennox, Lord H. G.
Lewis, G. C.
Lewisham, Visct.
Locke, J.
Long, W.
Lopes, Sir R.
Maitland, T.
Mandeville, Visct.
Martin, C. W.
Maule, rt. hon. F.
Maunsell, T. P.
Melgund, Visct.
Mitchell, T. A.
Molesworth, Sir W.
Monsell, W.
Morris, D.
Mowatt, F.
Mulgrave, Earl of
Napier, J.
Newdegate, C. N.
Norreys, Sir D. J.
Nugent, Lord
O'Brien, Sir L.
O'Connell, J.
Osborne, R.
Pakington, Sir J.
Patten, J. W.
Pearson, C.
Peel, rt. hon. Sir R.
Peel, F.
Peto, S. M.
Pilkington, J.
Plowden, W. H. C.
Pryse, P.
Pugh, D.
Rendlesham, Lord
Rich, H.
Richards, R.
Romilly, Sir J.
Rushout, Capt.
Russell, Lord J.
Russell, F. C. H.
Salwey, Col.
Sandars, G.
Scholefield, W.
Seymer, H. K.
Sibthorp, Col.
Slaney, R. A.
Smith, J. B.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.

Spearman, H. J.
Spooner, R.
Stafford, A.
Stanley, E.
Stanton, W. H.
Stuart, Lord D.
Sutton, J. H. M.
Taylor, T. E.
Tennent, R. J.
Thesiger, Sir F.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Tollemache, J.
Trevor, hon. G. R.
Tufnell, H.
Tyrell, Sir J. T.
Verney, Sir H.
Villiers, hon. C.
Walmsley, Sir J.
Wawn, J. T.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Wood, rt. hon. Sir C.
Wyld, J.

TELLERS.
Trelawny, J. S.
Hume, J.

List of the NOES.

Adair, R. A. S.
Archdall, Capt. M.
Bernal, R.
Brocklehurst, J.
Bunbury, E. H.
Cobden, R.
Cotton, hon. W. H. S.
D'Eyncourt, rt. hon. C. T.
French, F.
Glyn, G. C.
Mangles, R. D.
Milner, W. M. E.
Pechell, Capt.
Perfect, R.
Ricardo, O.
Rice, E. R.
Robartes, T. J. A.
Scrope, G. P.
Willyams, H.
Wilson, M.

TELLERS.
Headlam, T. E.
Wood, W. P.

Main Question put. The House divided:—Ayes, 84; Noes 119: Majority 35.

List of the AYES.

Adair, H. E.
Aglionby, H. A.
Anderson, A.
Bass, M. T.
Berkeley, C. L. G.
Bernal, R.
Blewitt, R. J.
Boyd, J.
Brocklehurst, J.
Brotherton, J.
Bunbury, E. H.
Busfeild, W.
Clay, J.
Clay, Sir W.
Cobden, R.
Colebrooke, Sir T. E.
Davie, Sir H. R. F.
Devereux, J. T.
D'Eyncourt, rt. hn. C. T.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Evans, W.
Ewart, W.
Fagan, W.
Fox, W. J.
Gibson, rt. hon. T. M.
Glyn, G. C.
Greene, J.
Hardcastle, J. A.
Harris, R.
Hastie, A.
Headlam, T. E.
Henry, A.
Heywood, J.
Heyworth, L.
Hindley, C.
Hume, J.
Humphery, Ald.
Jackson, W.
Kershaw, J.
King, hon. P. J. L.
Langston, J. H.
Lennard, T. B.
Locke, J.
Melgund, Visct.
Milner, W. M. B.
Mitchell, T. A.
Molesworth, Sir W.
Morris, D.
Mowatt, F.
Norreys, Sir D. J.
Nugent, Lord
O'Connell, J.
Osborne, R.
Pearson, C.
Pechell, Capt.
Perfect, R.
Peto, S. M.
Pilkington, J.
Pryse, P.
Ricardo, O.
Robartes, T. J. A.
Salwey, Col.
Scholefield, W.
Scrope, G. P.
Smith, J. B.
Spearman, H. J.
Stuart, Lord D.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Verney, Sir H.
Villiers, hon. C.
Walmsley, Sir J.
Wawn, J. T.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Willyams, H.
Wilson, M.
Wyld, J.

TELLERS.
Trelawny, J. S.
Bright, J.

List of the NOES.

Acland, Sir T. D.
Adair, R. A. S.
Adare, Visct.
Anstey, T. C.
Archdall, Capt. M.
Armstrong, R. B.
Ashley, Lord
Bankes, G.
Barrington, Visct.
Bellew, R. M.
Bennet, P.
Berkeley, hon. Capt.
Blair, S.
Bourke, R. S.
Bramston, T. W.
Bremridge, R.
Broadley, H.
Brooke, Lord
Bruce, C. L. C.
Buller, Sir J. Y.
Campbell, hon. W. F.
Chaplin, W. J.
Cholmeley, Sir M.
Christopher, R. A.
Clerk, rt. hon. Sir G.
Codrington, Sir W.
Cole, hon. H. A.
Cotton, hon. W. H. S.
Cowper, hon. W. F.
Cubitt, W.
Davies, D. A. S.
Disraeli, B.
Drumlanrig, Visct.
Duncuft, J.
Du Pre, C. G.
Ebrington, Visct.
Elliot, hon. J. E.
Estcourt, J. B. B.
Farnham, E. B.
Floyer, J.
Fox, R. M.
French, F.
Frewen, C. H.
Gaskell, J. M.
Gladstone, rt. hn. W. E.
Gore, W. R. O.
Goulburn, rt. hon. H.
Greenal, G.
Grey, rt. hon. Sir G.
Grogan, E.
Gwyn, H.
Haggitt, F. R.
Halford, Sir H.
Hamilton, G. A.
Harris, hon. Capt.
Hawes, B.
Hay, Lord J.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Heneage, G. H. W.
Henley, J. W.
Herbert, rt. hon. S.
Hildyard, R. C.
Hobhouse, rt. hon. Sir J.
Hodgson, W. N.
Hood, Sir A.
Hope, A.
Howard, Lord E.
Jervis, Sir J.
Jones, Capt.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lennox, Lord H. G.
Lewis, G. C.
Lewisham, Visct.
Long, W.
Lopes, Sir R.
Maitland, T.
Mandeville, Visct.
Mangles, R. D.
Martin, C. W.
Maule, rt. hon. F.
Maunsell, T. P.
Monsell, W.
Mulgrave, Earl of
Napier, J.
Newdegate, C. N.
O'Brien, Sir L.
Pakington, Sir J.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, F.
Plowden, W. H. C.
Pugh, D.
Rendlesham, Lord
Rich, H.
Richards, R.
Romilly, Sir J.
Rushout, Capt.
Russell, Lord J.
Russell, F. C. H.
Sandars, G.
Seymer, H. K.
Sibthorp, Col.
Slaney, R. A.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stanley, E.
Stanton, W. H.
Sutton, J. H. M.
Taylor, T. E.
Thesiger, Sir F.
Tollemache, J.
Trevor, hon. G. R.
Tufnell, H.
Tyrell, Sir J. T.
Wood, rt. hon. Sir C.

TELLERS.
Rice, E. R.
Wood, W. P.

Motion negatived.

THE DIVISIONS ON THE CHURCH RATE QUESTION.

MR. BOUVERIE said, he had complained last year of an officer of the House keeping the door closed between two divisions—a proceeding, he apprehended, totally contrary to all principle, as Members who abstained from voting in the first, might wish to take part in the second, but were prevented from doing so. The right hon. the Speaker, upon that occasion, called the officer to the bar, and desired that the door should be opened. The same thing had occurred this evening, and several Members, like himself, amongst others the noble Lord the Member for Hertford (Viscount Mahon), were thereby excluded from voting in the second division. He submitted that the officers should have directions to open the doors on every occasian when the numbers were declared.

MR. SPEAKER: The doors should be opened after the numbers are declared for the first division, and before the second question is proposed. When there is a very small inverval between the divisions, it sometimes happens that the outer doorkeeper is not aware of the door of the House having been opened. The bell is also to be rung, when strangers are ordered to withdraw.

ILLEGAL TAXATION OF VAN DIEMEN'S LAND.

MR. ANSTEY moved—

> "That an Address be presented to Her Majesty, on the subject of certain illegal Ordinances or Acts of Council for the taxation of the people of Van Diemen's Land, the attempts of Lieutenant Governor Sir William Denison to intimidate the Judges of the Supreme Court of that Island into declaring such Ordinances or Acts to be legal, and the Grievances complained of by the Colonists of that Island in their Petition presented last year to Her Majesty, and printed by Order of this House; and that Her Majesty may be pleased to direct the local authorities in future to respect the independence of the judicial functions of that Court, and also to signify Her disallowance of any Ordinance or Act subsequently passed by the said Lieutenant Governor in Council, for giving to such illegal Ordinances or Acts the force of Law."

The encroachments of the Council of Van Diemen's Land were upon the independence of the bench of that island. The measure of which he complained struck not only at the independence, but at the very existence of the Supreme Court. That court was established in the colony for the express purpose of being a check on the Governor of the island, and also on the Executive and Legislative Councils. By the 9th Geo. IV,, the Lieutenant Governor, and a Council nominated by himself and approved of by Her Majesty, were invested with the power of making laws for the government of the island, with this proviso, that their acts should not contradict the law of England in general, or the provisions of that Act of Parliament in particular. The Supreme Court were directed to see that the laws of England were not violated, and were armed with the necessary powers for declaring the illegality of any act passed in defiance of the provisions of the 9th Geo. IV. For a long course of years, however, the Council had exercised powers in direct contravention of the Act—powers which affected in a peculiar manner the rights and interests of the people of that colony. They had chiefly abused its powers in levying unjust taxes on the people. In 1845, Sir Eardley Wilmot imposed a dog tax; he also imposed duties of 15 per cent on imports from the colonies and countries except those specified in the Act. These duties were three times the amount of those imposed by the legislature of the neighbouring colony of New South Wales. He also imposed differential duties. These Acts were in direct contravention of the 25th sec. 9 Geo. IV., which enacted that the Governor should not impose any taxes except such as were necessary for local purposes, and that the purpose of every such tax should be distinctly stated in the ordinance imposing it.

Notice taken, that 40 Members were not present. House counted; and 40 Members not being present—

The House was adjourned at half after Ten o'clock.

HOUSE OF COMMONS,

Wednesday, March 14, 1849.

MINUTES.] PUBLIC BILLS.—1° Small Debts (Ireland).

2° Landlord and Tenant; Real and Personal Property Conveyance; Clergy Relief; Recovery of Wages (Ireland); Marriage (Scotland); Registering Births, &c. (Scotland).

Reported.—Life Policies of Assurance.

PETITIONS PRESENTED. By Mr. Bright, from Members of the Southern Unitarian Society, in favour of the Parliamentary Oaths Bill.—By Mr. Trelawny, from the City of York, and several other Places, for the Abolition of Church Rates.—By Mr. Kershaw, from the Inhabitants of Stockport, for an Alteration of the Law respecting the Church of England Clergy.—By Mr. Cowan, from the Committee of the General Assembly of the Free Church of Scotland, for a Better Observance of the Lord's Day.—By Sir Thomas Acland, from the Deanery of Cadbury, in the Diocese of Exeter, and by other Hon. Members, from several Places, against the Marriages Bill.—By Mr. W. Lockhart, from the Presbytery of Kirkaldy, against the Marriage (Scotland) Bill.—By Mr. Bouverie, and other Hon. Members, from several Places in Lancashire, respecting the Expenditure of that County.—By Mr. Disraeli, from the Parish of St. George's, Middlesex, in favour of a Revision of Local Taxation.—By Mr. Cowan, from several Tradesmen of Edinburgh, for a Repeal of the Paper Duty.—By Mr. Heald, from the Lancashire and Yorkshire Railway Company, respecting the Taxation on Railways.—By Mr. Harris, from the Congregation of the Primitive Methodist Chapel, Quirk's Green, Berkshire, for a Reduction of the Duties on Tea, Sugar, and Coffee.—By Lord Hotham, from Holderness, in the East Riding of Yorkshire, for the Relief of Agricultural Distress.—By Mr. Bourke, from the Landowners of Ballitore, in the County of Kildare, and from several other Parts of Ireland, respecting the Depredations by Killing Cattle, Sheep, &c.—By Mr. Moody, from the Deanery of Dunster, Somerset, for an Alteration of the Law respecting Education.—By Mr. Bright, from Owen Owen Roberts, of Bangor, complaining of the Misapplication of Funds intended for Educational Purposes (North Wales).—By Mr. Herries, from Merchants, and Others, of Liverpool, against, and by Mr. Brotherton, from the Borough of Salford, in favour of, the Navigation Bill.—By Mr. Leslie, from the Grand Jury of the County of Monaghan, and by other Hon. Members, from several other Places against the Proposed Rate in Aid (Ireland).—By Mr. Bourke, from the Guardians of the Athy Union, respecting the Poor Law (Ireland) as affecting the Kildare Union.—By Mr. Sotheron, from Melksham, Wiltshire, for the Suppression of Promiscuous Intercourse.—By Sir John Hope, from Members of the Kirk Session of Inveresk, against the Registering Births, &c., and against the Marriage (Scotland) Bills.—By Mr. Bankes, from Swanage, Dorset, for the Suppression of the Slave Trade.—By Captain Fordyce, from Aberdeen, and from several other Places, for Referring War Disputes to Arbitration.

THE COUNT OUT.

Mr. ANSTEY begged to address a few words to the House, respecting the count out on the previous night. He did not dispute the right of hon. Members to absent themselves if they pleased; but so far as public time was concerned, of which they had recently heard a great deal, he certainly was of opinion that it would be quite as well if there was not a count out on important occasions. They were, the night before, within only one of making a House, and therefore the opportunity was ill-timed for putting forth what must be considered at best as a most invidious rule. He did not complain of the conduct of the hon. Member who had moved the counting of the House on that occasion, and he was most willing to admit that the Government had done all they could, and that they were most anxious to keep forty Members present. The whole discussion on Van Diemen's Land would probably not have occupied more than an hour and a half; and he had gone through half his statement at the time the adjournment took place. But though he did not complain of the conduct of hon. Members, he felt aggrieved by the manner in which some of the officers of the House had acted. He knew not who those officers were, but he alluded to those of them whose duty it was to ring the bell. He understood that the bell had not been rung in one of the neighbouring rooms—namely, the smoking-room. He was also informed by his hon. and gallant Friend, the Member for Portarlington that it had not been rung in the library; and the consequence of these omissions was, that twenty or thirty hon. Gentlemen who were in the smoking-room and library, ready for the purpose of keeping up a House, knew nothing of the count out until the bell was rung for the adjournment—a bell which the officers took especial good care to ring at the proper moment. He thought a discretion should not be given to these individuals to decide as they pleased whether an independent Member should or should not be allowed to occupy public attention. He begged to give notice that he would submit by way of amendment, on Friday next, in Committee of Supply, the Motion, which must now be considered as one of the dropped orders of the previous day.

LANDLORD AND TENANT BILL.

Order for Second Reading read. Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. PUSEY said, that last Session it had been thought desirable that further inquiry should be made respecting the matters involved in this measure; that inquiry had accordingly taken place; and the evidence collected had been placed before the House; when it was considered desirable that a Bill should be introduced on the subject. He therefore begged to introduce this Bill to the House for the third time during the present Parliament. It was strictly in conformity with the report of the Committee of last year; its clauses were such as had received the Committee's full sanction; and he therefore trusted the Bill had a sufficient claim to be allowed to pass a second reading.

Colonel SIBTHORP should move, as an Amendment, "That the Bill be read a second time that day six months." He had always opposed this Bill; he had objected to its introduction in 1847, and again in 1848; and he must say, the hon. Member for Berkshire had chosen a very unfortunate time for its reintroduction on this occasion. Under the existing usages and customs prevalent throughout the country, the greatest good feeling and mutual confidence had grown up and been cemented between the landlord and his tenantry; and that good understanding, he was happy to say, still existed unimpaired; and the only effect of this dangerous and uncalled-for Bill would be, to disturb the harmony that now prevailed between the landlord and his tenant, and to create jealousies, dissensions, and even, in many cases, litigation, between them. As matters now stood, the landlord and his tenant very well understood each other, and had no cause of dissatisfaction; and what right had we to interfere by our legislation to breed disputes and suspicions between them? The next thing he expected they would do would be to introduce a Bill to meddle with the relations between a master and his butler, or between a master and his cook, laying down where the butler should go, and what the cook should have to do. This Bill emanated from a Committee which sat nineteen days, and reported evidence that cost the country 300*l.* This Bill resembled Parr's life pills and Holloway's ointment—it proposed to cure all diseases by one unvarying specific. The evil was acknowledged to be only partial, and said to exist only in particular counties—different counties having their different customs and usages; but this Bill proposed to deal indiscriminately with every county, and treat them all alike, although their complaints differed. On behalf of the tenantry of England he must oppose this Bill, which was altogether unnecessary, besides being mischievous, and calculated to engender ill-will and litigation between parties that now lived in amity and peace; and he must therefore take the sense of the House upon his Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

SIR H. VERNEY said, he felt constrained to second the Amendment of the hon. and gallant Gentleman who had just sat down, and regretted to be compelled, by the strong and decided opinion he entertained upon this measure, to adopt this hostile course with regard to any Bill introduced by the hon. Gentleman the Member for Berkshire, because no Gentleman in that House had conferred greater benefits upon the whole agricultural interest of this country, than that hon. Gentleman had done by his valuable services. The agricultural interest was deeply indebted to him for having volunteered to conduct the *Agricultural Journal*, when the English Agricultural Society was formed some years ago; but notwithstanding the high respect due to the hon. Gentleman's authority, he (Sir H. Verney) must oppose this Bill; for he held, that what every friend of agriculture in this country ought to make it his chief concern to do, was to exert himself in every possible way to promote the practice of granting leases to the tenant farmers. It was for the good both of the tenant farmer and the community in general that leases should be given; and every tenant farmer who had not a lease, had the remedy in his own hands, if he would only exert himself to apply it. Now, the Bill before the House would have the effect of rendering leases less desirable; and it was because he could not support any measure having such a mischievous tendency, that he now seconded the Amendment.

MR. CHRISTOPHER admitted that this Bill was a great improvement upon that introduced by the hon. Gentleman last Session; but as he was opposed to all legislative interference between landlord and tenant, he felt it his duty to vote against the further progress of this measure. He thought that the object aimed at by the proposal of the hon. Gentleman could be better effected by agreements between landlord and tenant than by any compulsory legislative enactment. The custom of Lincolnshire was unquestionably a most liberal one; under it, all outgoing tenants were compensated for any unexhausted improvement in draining, buildings, or otherwise, which they might have made upon the land they occupied. That custom had been in existence during the last fifty years; and he was sure that in case of any dispute on the question of compensation, no jury that might be empannelled in Lincolnshire would hesitate to recognise it. But what introduced that custom? The enterprise, industry, and skill of the tenant farmers of that county. In Lincolnshire there were no leases at least, if there were any they were merely exceptions to the general rule; and he believed that, in nine cases out of ten, the tenant farmers would not accept leases from the landlords. He thought that landlords and tenants generally approved of the present system; and he should, therefore, vote in favour of the Amendment of the hon. and gallant Member for Lincoln.

MR. ROBERT PALMER said, it was his intention to vote in favour of the second reading of the Bill, because he believed that the object of his hon. Friend and Colleague was nothing more than to do an act of justice to occupying tenants. Under the existing system a tenant farmer might be suddenly ejected from his farm without being entitled to any compensation for unexhausted improvements; and surely no hon. Gentleman could be opposed to a measure calculated to remedy such an injustice. Indeed he considered that this Bill would be doing an act of justice as much towards landlords themselves as their tenants, because the knowledge on the part of the latter that the law gave them no claim to compensation for improvements, prevented them from applying to the land those benefits which would accrue to the land from the skill and industry which they would undoubtedly apply to it if assured that they could not at any moment be driven from their holdings without any recompense for their exertions. This Bill proposed to empower landlords to make any arrangements made between landlords and tenants at will binding upon their successors, and in that respect he thought it was a great improvement upon the Bill of last Session, and he should therefore have no hesitation in giving it his support, although there were some clauses to which he objected, but which might be altered in Committee.

Mr. PACKE said, this Bill appeared to him to remedy a very serious evil as regarded tenant farmers. There were many instances, such as when a landlord became insolvent, and his lands came into the hands of his creditors, in which the occupying tenants were very unjustly treated. No mercy was shown to them, although they and their ancestors might have expended their strength and capital upon their holdings. He did not agree with the hon. Baronet the Member for Bedford that it would be well if the system of leasing were adopted throughout the country. In that part of the country in which he resided leases were unknown. He had talked to several tenant farmers, all of whom assured him that they preferred tenancies from year to year to leases. He entertained objections to some of the details of this measure, but they could be discussed in Committee. He objected particularly to that part of the Bill which proposed to give unlimited power to tenants to remove fixtures, as he thought it would often lead to serious mischief.

Mr. HENLEY would give his most cordial support to this measure, because he believed that it proposed to accomplish what was very much needed. It proposed to give to landlords the power of giving to their tenants at will a right to demand from their (the landlord's) successors compensation for unexhausted improvements. He believed that this measure would be as beneficial to tenants under lease as tenants at will. There were many clauses in it which required alteration. With regard, however, to the two main principles of the Bill, he did not think that it could injure anybody. With respect to the question of leases and tenancies at will, which had been imported into this debate, he thought that it was altogether foreign to the subject before the House. However, he might observe that the evidence which had been laid before the Select Committee on this question showed that the farmers throughout England did not want leases. But they did want some security for compensation for improvements such as this Bill proposed to give to them. He was aware that this measure did not go so far as some hon. Gentlemen wished; but, as he thought that it would confer great practical advantages on tenant farmers, he hoped the House would permit it to go into Committee.

Mr. SIDNEY HERBERT thought that the speech of the hon. Gentleman who had just sat down showed conclusively that the mode of remedying the evils intended to be abolished by this Bill was not by the tenant farmers taking up leases. There were several reasons why the taking up of leases offered no remedy at all; one was, that the landlord was not willing to grant them; and another was, that the farmer was afraid to take one, especially at this moment. [*Cheers.*] He repeated that, especially at this moment, when there prevailed in the agricultural mind a great panic, which had been fostered by means which he thought perfectly unjustifiable, there was a great indisposition on the part of farmers to take leases. He thought that this Bill was a great improvement upon that introduced by the hon. Gentleman the Member for Berkshire two years ago. He thought its principles were perfectly justifiable. To that part of the Bill, however, which gave a definition of the words "agricultural improvements," he entertained the greatest objection. He thought it would be much more prudent to give no definitions at all on that subject. The whole working of the Bill would depend upon the liberal construction to be put upon it by arbitration. Some Gentlemen had suggested to him that it would be advisable to send the Bill, after a second reading, to a Select Committee upstairs; but he was afraid that, if they committed it to such keeping, the Bill either would be shelved for this Session, or would come back to the House in such a mutilated shape that it would be totally different from its present form. He thought it might be as well if the hon. Member for Oxfordshire, who appeared to take so much interest in this question, invited three or four hon. Gentlemen to his dining-room to discuss the measure—[*Laughter*]—he did not mean to lay claim to the hon. Gentleman's hospitality—it might undergo such alterations as would render it acceptable to the House generally.

MR. NEWDEGATE would confidently vote for the second reading of the Bill. It had been his fate, on a former occasion, to move for a Committee of Inquiry into this subject, and, after hearing the evidence brought before that Committee, and reading this Bill, he did not hesitate to say that this proposition of the hon. Gentleman the Member for Berkshire would meet with the approbation of the tenant farmers. He (Mr. Newdegate) could not agree with the right hon. Gentleman who had just sat down, in thinking that there was no justification for the excitement which prevailed in the agricultural districts; and he must say, that if this Bill was brought forward to enable landlords, particularly such as were incapacitated from giving adequate security for compensation in consideration of improvements made by their tenants, owing to their having only life or limited interests in their estates, to do justice to their tenants—entertaining, as he did, the gravest apprehensions with respect to the future prospects of agriculture—he thought that this was peculiarly a time when the House ought to afford every means of relief to tenant farmers, and to aid the landlords of this country in their endeavours to render their tenants capable of resisting the new pressures to which they were likely to be exposed. The speech of the right hon. Gentleman the Member for Hampshire that day reminded him (Mr. Newdegate) of certain expressions which fell from the same right hon. Gentleman during the great discussion on the corn laws, when he said that the agricultural interest came whining to that House for protection. He (Mr. Newdegate) thought the right hon. Gentleman would find that the agriculturists would prove that "growling" was a more appropriate expression than "whining," as expressive of their present sense of injustice and oppression, and their determination to resist such treatment. But he thought the way in which the agricultural interest was spoken of in that House was quite unworthy of a British House of Commons; and he (Mr. Newdegate) regretted that the haughty tone of the right hon. Gentleman should recall such expressions to their recollection.

MR. MULLINGS objected to the Bill, because he considered legislation to be very dangerous, and likely, in many cases, to lead to great injustice. He wished to appeal to Her Majesty's Attorney General, whether, before the provisions of this Bill could be carried out, it would not be necessary to pass a Bill to provide for the cases of such tenants for life as beneficed clergymen, &c. In those cases they could not make a contract which should be binding upon the tenant with reference to his successor, because there was no privity between him and his successor. He would be entitled to take off the land all the growing crops, and the landlord could have no remedy against him. He (Mr. Mullings) objected to this Bill, because, whatever laws they might pass, all these matters must be subjects of contract between landlord and tenant: however stringent their laws might be, agreements would be entered into between the contracting parties which would have the effect of controlling the acts of the Legislature. He thought that tenants at will would be fully satisfied, if they were not to be compelled to resign their farms before the expiration of two years from the service of notice to quit, such right to determine in case the tenant refused to perform the conditions of his contract.

The ATTORNEY GENERAL thought, if the Bill had stood for a third reading, the observations of the hon. Gentleman would have been justified. The objection of the hon. Gentleman applied to the details and not to the principle of the Bill. If a Committee were appointed, such as had been suggested, the hon. Gentleman would have an opportunity of bringing his suggestion before them. All the House was now called upon to do was, to affirm the principle of the Bill by agreeing to the second reading; the details would be taken into consideration by the select few who were to assemble under the hospitable auspices of the hon. Member for Oxfordshire.

After a few words from MR. H. HERBERT and MR. BASS,

MR. PUSEY, in reply, said, he was willing to admit that, in some instances, excellent arrangements had been, notwithstanding, entered into by landlords and tenants; for instance, in the Earl of Yarborough's extensive estates in Lincolnshire the tenantry was flourishing under a system of tenant right which could not be too highly commended; and it appeared from the evidence taken before the Committee, that the noble Earl was desirous of extending the advantages of that system to the tenants on his property in the Isle of Wight. It was, however, a mistake to suppose that this was a matter which could in all instances be settled by a voluntary agreement between landlord and tenant, for he was informed by high legal authority that an agreement for compensation, when not supported by the custom of the country, would be of no more value than waste paper.

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 147; Noes 11: Majority 136.

List of the AYES.

Adair, R. A. S.
Alexander, N.
Anstey, T. C.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bankes, G.
Bass, M. T.
Bentinck, Lord H.
Berkeley, C. L. G.
Bernal, R.
Blair, S.
Bouverie, hon. E. P.
Boyle, hon. Col.
Bremridge, R.
Bright, J.
Brotherton, J.
Buck, L. W.
Busfeild, W.
Buxton, Sir E. N.
Cavendish, hon. G. H.
Chichester, Lord J. L.
Childers, J. W.
Clements, hon. C. S.
Clifford, H. M.
Clive, H. B.
Cobden, R.
Coke, hon. E. K.
Davie, Sir H. R. F.
Davies, D. A. S.
Disraeli, B.
Drumlanrig, Visct.
Drummond, H.
Duncan, G.
Duncuft, J.
Dundas, Sir D.
Egerton, W. T.
Ellis, J.
Estcourt, J. B. B.
Evans, W.
Ewart, W.
Fagan, W.
Farnham, E. B.
Farrer, J.
Filmer, Sir E.
Floyer, J.
Foley, J. H. H.
Forbes, W.
Fordyce, A. D.
Fox, W. J.
Freestun, Col.
Frewen, C. H.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Goddard, A. L.
Graham, rt. hon. Sir J.
Granby, Marq. of
Greenall, G.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Gwyn, H.
Haggitt, F. R.
Halford, Sir H.
Harris, hon. Capt.
Harris, R.
Headlam, T. E.
Heald, J.
Henley, J. W.
Herbert, H. A.
Herbert, rt. hon. S.
Heyworth, L.
Hildyard, R. C.
Hodges, T. L.
Hogg, Sir J. W.
Hume, J.
Jermyn, Earl
Jervis, Sir J.
Jolliffe, Sir W. G. H.
Keppel, hon. G. T.
Kershaw, J.
King, hon. P. J. L.
Lacy, H. C.
Langston, J. H.
Lemon, Sir C.
Lennard, T. B.
Lennox, Lord H. G.
Leslie, C. P.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lewisham, Visct.
Long, W.
Mackenzie, W. F.
Maitland, T.
Manners, Lord G.
March, Earl of
Marshall, W.
Martin, C. W.
Miles, W.
Milner, W. M. E.
Moody, C. A.
Morgan, H. K. G.
Mostyn, hon. E. M. L.
Newdegate, C. N.
O'Connell, J.
Ogle, S. C. H.
Packe, C. W.
Pakington, Sir J.
Patten, J. W.
Perfect, R.
Pilkington, J.
Pugh, D.
Renton, J. C.
Reynolds, J.
Rice, E. R.
Robinson, G. R.
Roche, E. B.
Russell, F. C. H.
Scrope, G. P.
Seymour, Lord
Shafto, R. D.
Sheridan, R. B.
Smith, rt. hon. R. V.
Smyth, Sir H.
Somerville, rt. hon. Sir W.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stanton, W. H.
Sullivan, M.
Thesiger, Sir F.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, J.
Trollope, Sir J.
Tufnell, H.
Tyrell, Sir J. T.
Walter, J.
Watkins, Col. L.
Wawn, J. T.
Williams, J.
Willyams, H.
Williamson, Sir H.
Willoughby, Sir H.
Wilson, J.
Wilson, M.
Wyvill, M.

TELLERS.
Pusey, P.
Palmer, R.

List of the NOES.

Broadley, H.
Buller, Sir J. Y.
Christopher, R. A.
Duncombe, hon. A.
Dupre, C. G.
Hope, Sir J.
Mullings, J. R.
Smollett, A.
Stuart, H.
Trelawny, J. S.
Waddington, H. S.

TELLERS.
Sibthorp, Col.
Verney, Sir H.

Main Question put, and agreed to.

Bill read 2° and committed for Wednesday, March 21st.

CLERGY RELIEF BILL.

MR. BOUVERIE moved the Second Reading of the Clergy Relief Bill.

Order for Second Reading read. Motion made, and Question proposed, "That the Bill be now read a second time."

MR. LACY proposed as an Amendment, "That the Bill be read a second time this day six months." He opposed the Bill, because he conceived it would hold out a premium for insincerity by allowing individuals in holy orders to leave the Church. Without thinking that there were many persons amongst the clergy of the Church of England who would avail themselves of the privilege proposed to be conceded, on any objectionable grounds, there still might possibly be some who, caring too much about riches, would be induced to leave the Church, solely because they saw some good opportunity of holding a secular employment of profit and advantage either by death, or some changes in their own families. There might be men who actuated by such motives would come forward and say, " I will make this declaration—I am a Dissenter from the united Churches of England and Ireland." He, therefore, thought that he would be guilty of a neglect of duty, if he did not call attention to the subject, for on looking to this Bill it would be seen that a man might say he was a Dissenter now, and the next day say he was not a Dissenter. Was that, he asked, the right way to legislate on this important subject? If the Bill must go on, he should say, that many clauses must be put in it which were not in it at present. In his opinion, a gentleman ought not to be allowed to go out of the Church because of an offence committed in the Church, without being still subject to the pains and penalties of his misconduct. He thought, also, that a clause should be inserted to prevent for ever the reordination of persons seceding from the Church.

Amendment proposed, to leave out the word " now," and at the end of the Question to add the words " upon this day six months."

MR. BOUVERIE would not detain the House for many minutes on this matter, as he had on a former occasion explained the general objects and purposes of the Bill. He would therefore confine himself to the objections urged against the measure by the hon. Member who had just sat down. The hon. Gentleman's objection to the Bill was, that it would create insincerity. But, as the law stood at present, it not only afforded a temptation to insincerity, but in many instances, made clergymen insincere on compulsion; because, although they dissented from the doctrines of the Church, they must remain in it, or subject themselves to penalties for preaching, in a building unlicensed by the bishop, what they believed to be the truth. No reasonable man could wish such a state of the law to continue, and therefore, he submitted to the House that this Bill deserved a second reading.

MR. HUME supported the Bill. Nothing could be more tyrannical or unjust than persecuting a man for leaving the Church, especially when he had left it from conscientious convictions. He thought such a system was a relic of oppression, and he, therefore, trusted that the Bill would be allowed to go into Committee.

MR. STAFFORD said, that they had a discipline for clergymen, and how far it was desirable to release them from that discipline he did not know, nor would he assume the province of determining. He did conceive, however, that there would be a door opened to insincerity. The objection of the hon. Member for Bodmin was this, viz., that any clergyman who had violated the discipline of the Church, and laid himself open to a prosecution, had nothing more to do than to go before a magistrate and make the declaration included in the present Bill, and he was immediately released from all the vows he might have made. Considering the great importance of the subject, and the short discussion which had as yet been devoted to it, he thought it his duty to oppose the second reading, and to support the Amendment of his hon. Friend the Member for Bodmin.

MR. SPOONER had come to a very different conclusion from that formed by his hon. Friend the Member for Northamptonshire. The evil now complained of was, that a clergyman who had entered into holy orders, and had changed his first opinions, was either compelled by the necessities of himself and his family to exercise duties which his conscience told him he could not faithfully discharge, or to expose himself to ecclesiastical penalties for acting as his conscience dictated. These were the evils from which clergymen who subsequently were unable to hold the doctrines of the Established Church sought to be delivered. There were many instances of clergymen who had seceded from the Church, and had acted as Dissenting ministers with great advantage to the religious interests of the community, of whom no notice had been taken. But notice had been taken of the secession in a few instances to which he need not now particularly refer, and the ecclesiastical penalties had been enforced. It had been objected that, as the Bill now stood, a person who had subjected himself to penalties under the Church Discipline Act, might evade those penalties by making the declaration; but that was a question of detail, which the House might have considered and amended in Committee. To the principle of the Bill, however, he gave his most hearty assent. It had been argued, that if this principle were conceded, it might lead to the release of a clergyman from other vows besides his ordination vows; but the Bill before the House did not contain any provision of the kind. Many most conscientious clergymen had communicated to him their assent to the principle of the measure, and had expressed their regret that any person should be exposed to ecclesiastical censures on account of their dissent from the doctrines of the Established Church.

Mr. WAWN said, as the law now stood, when a minister of the Protestant Church left that body, and entered the Roman Catholic Church, he was free from penalty; but if an individual connected with the Church, yet dissenting from its doctrines, joined any dissenting body, he might be prosecuted for so acting. At the present moment, an individual was now suffering from this anomalous state of the law. He should support the second reading of the Bill, because he wished to see persons dissenting from the Church, and joining one of the various dissenting bodies in the kingdom, placed in the same position as those who might go from the Established to the Roman Catholic Church.

Mr. H. DRUMMOND asked if they could carry on the Army and Navy effectually if they repealed the Mutiny Act? He thought not. He believed that the ecclesiastical authorities had, in the same way, a right to use the civil sword to enforce ecclesiastical censures. He did not, however, think that right. That, however, was not the question; but so long as that was the law, no bishop did his duty who neglected to enforce them. The hon. Gentleman who had just sat down did not seem to understand the question in the least, as it applied to Roman Catholics and to Dissenters. In one case the man was in holy orders, and in the other was not. ["No, no!" *and laughter.*] The hon. Member might sneer as much as he pleased. He believed, doubtless, that he might, if he thought proper, change his Christianity, and become a Jew, but he could not. Let the House bear in mind that, in fact, by this Act they were about to separate the Church from the State. He did not say it was wrong to do so; but this he would say, let them know what they were about, and let them recollect that the Church was not the gainer, but the State, by the connexion that at present existed. The State was a gainer by that union; and if the bishops and clergy wished to do their duty, it was impossible for them to do so if they did not shake off—he was going to call it—the incubus of that House and the State entirely.

Sir G. GREY said, the Bill was calculated to redress a great practical evil, and he would give it his support. He thought the hon. Gentleman who had just sat down would be one of the last to deny to a clergyman of the Established Church, who might later in life entertain conscientious scruples which might prevent his any longer remaining a member of it, the right of transferring his ministrations to any denomination of Protestant Dissenters. If such a person became a member of the Church of Rome, no penalty attached to him; he was considered to do nothing irregular if he celebrated mass. He expressed no opinion whether that was right or not, but it must be considered a great practical grievance that a penalty did attach to him, if he became a minister of a dissenting congregation. Was there anything unreasonable in affording facilities for the exemption of such persons from the proceedings which might be instituted against them at any period of their lives, if they exercised their talents in giving spiritual instruction in any other denomination than the Established Church? The hon. Gentleman the Member for Bodmin, who moved the Amendment, objected to the Bill because it did not go far enough; he said it ought to enable ministers of the Church of England to become not only dissenting ministers, but even Church laymen. He (Sir G. Grey) was not aware of the existence of any ecclesiastical process which could be put in force against him, if a clergyman of the Church of England wished to retire into private life, if he had not committed any offence which would render him amenable to the ecclesiastical court. But another hon. Gentleman took quite a different view, for he said that the Bill exempted clergymen of the Church of England from ecclesiastical censure, on account of immorality. Now, he (Sir G. Grey) admitted that if a clergyman committed an immoral offence whilst a clergyman of the Church of England, he should not be exempt from the consequences of that act, for, otherwise, he might leave the Church, in order to evade them. He, therefore, thought that there should be a limited time within which proceedings might be taken after the commission of any such offence, and that no proceedings ought to be instituted against him in the ecclesiastical court for acts committed after he had left the Church of England. It would also be a serious question for consideration in Committee whether a proviso should not be introduced into that clause which provided that persons making this declaration should be exempt from all restraints, restrictions, and prohibitions, to prevent them from sitting in Parliament, in order to diminish the motives for making such a declaration.

MR. KERSHAW said, it would be much to be lamented if, at this time of day, the House should refuse its assent to this measure, especially when clergymen of the Established Church could become Roman Catholics without any restraint or hindrance.

MR. HENLEY wished to know from the right hon. Gentleman opposite (the Attorney General) whether it was correct, as stated by the right hon. Gentleman the Secretary of State for the Home Department, that a person leaving the Established Church and joining the Roman Catholic Church, was free from all penalty and hindrance, because if that were so, he thought both sides ought to be placed on the same footing.

The ATTORNEY GENERAL said, that the question put to him was a difficult one—it was a point about which great difficulty existed both in the civil and the ecclesiastical courts. If the hon. Gentleman would permit him, he must decline, without further consideration, to answer it.

MR. NEWDEGATE asked whether it was not competent in a clergyman whose opinions did not coincide with those of the Church, to leave it, free from all penalties, by submitting to be degraded from his office?

The ATTORNEY GENERAL said it was not.

MR. BRIGHT said, that he agreed with the hon. Gentleman the Member for Bodmin in his view, and he would be prepared to vote in Committee for a clause to carry it out; but as his present Motion would have the effect of throwing out the Bill altogether, and thus bringing the House to an opinion hostile to his own views, he hoped he would not persevere. He was mistaken if he supposed that the clauses of a Bill always agreed with the title.

Question proposed, "That the word 'now' stand part of the Question." Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read 2°, and committed for Wednesday, March 21st.

LOCAL TAXATION—BURDENS ON LAND—ADJOURNED DEBATE.

On the reading of the Order of the Day for resuming the Adjourned Debate on Local Taxation,

MR. DISRAELI rose, and presented a petition from a meeting held in the parish of St. George, Westminster, of owners and occupiers of land from various places, signed by the Duke of Richmond, as chairman of the meeting at which it was adopted. The petition set forth the extreme distress under which the agricultural classes at present laboured, which distress was attributed to recent legislation. The petitioners asked for some mitigation of their sufferings by the removal of local taxation, the repeal of the malt tax, and concluded by recommending the imposition of a small import duty on all articles of foreign produce.

The CHANCELLOR OF THE EXCHEQUER:* Mr. Speaker, when this debate was adjourned on Thursday last, we had merely laid before us the two propositions which you, Sir, have just read—the one embodying the views of the hon. Member for Buckinghamshire, and the other those of my hon. Friend the Member for Montrose, who moved the Amendment. It now becomes my duty to state the course which the Government mean to pursue, and which we are prepared to recommend the House to adopt upon this question.

I believe it will be more convenient to the House that I should first address myself to the Amendment of my hon. Friend. The first question upon which the House will have to decide is, whether we shall admit his Amendment, or whether we shall retain the words of the original Motion, for the purpose of dealing with the main question brought forward by the hon. Member for Buckinghamshire.

Referring, then, to the proposal of my hon. Friend, I must, in the first place, in justice to him, fully admit the claim which he put forward for candour in his statement of the views which he entertains, while the hon. Gentleman opposite (Mr. Disraeli) dealt somewhat in the obscure. That hon. Gentleman is a great master of the art of oratory. He knows very well how much may be gained by holding out some visionary prospect which his hearers may not be able quite to understand; but from which, nevertheless, they may expect some great, though undefined benefit. The hon. Gentleman was particularly mysterious as regarded Ireland. He told us that when we got into Committee he would propose some great scheme. He adverted to some vast projects which had been entertained by a late noble Lord, whose death, however much we may have differed from him, we all lament. He told us that his noble Friend had devised some comprehensive measure which would do more for the benefit of Ireland than anything which any Government had proposed for the last half century; but of what this mighty scheme consisted the hon. Gentleman did not give us the slightest intimation. He left the Irish Members, and indeed the whole House, in utter ignorance of what this great proposal was to be.

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* From a pamphlet published by Ridgway.

My hon. Friend behind me, on the contrary, was clear, plain, and specific, in the statement of his views. He told us not only what he proposed for the present, but the end which he ultimately hoped to attain; though I know not whether that end will be very satisfactory to any hon. Gentlemen who are not prepared to dispense with county Members and county constituencies. I know not how far the views of my hon. Friend extend. I know not whether the hon. Member for the West Riding, who sits near him, concurs in his views, and would commit political suicide, and destroy the constituency which he represents. But this would be the consequence of carrying out what my hon. Friend proposed, when he told us that he "would do away with counties."

MR. HUME: I said do away with the Excise, and not counties.

The CHANCELLOR OF THE EXCHEQUER: It is quite true that my hon. Friend the Member for Montrose did propose to do away with the Excise; but he extended his views of destruction much further, and proposed—for I took down his words at the time—to do away with the counties also. I am perfectly convinced that I am correct, from the note which I took at the time, and which I now have by me, that my hon. Friend said he would do away with counties.

I doubt whether any of the counties or their representatives will be much flattered by my hon. Friend's proposition, or whether, in the opinion of the agricultural body, it will tend to establish the new character in which the hon. Gentleman now comes forward, for the first time, that of the "farmer's friend."

Passing this point by, however, my hon. Friend was equally clear and decided in the view which he entertains as to the remission of taxes. The words of his Amendment refer only to the repeal of the duties on malt and hops, and the removal of other burdens on agricultural and commercial industry. We did not know what those other burdens were which he proposed to remove. I was surprised, indeed, that he should have confined his repeal to the duties on malt and hops, knowing the general views of my hon. Friend. We did not know how far he intended to go. He has now clearly explained his intention to be to repeal the duties on windows, bricks, soap, &c., to the extent altogether of about 9,500,000*l*. I will not now stop to inquire whether the proposal made by my hon. Friend is the most judicious scheme that could be proposed of reducing taxation, for I wish to call the attention of the House to the fact that he has stated it to be a necessary preliminary to his proposal that there should be a reduction of expenditure to the extent of 10,000,000*l*. annually. My hon. Friend goes even further than the hon. Member for the West Riding. I find, on referring to the estimates for the year, that the total expenditure for the effective services of the Navy, Army, and Ordnance, amounts to about 11,250,000*l*., and the proposal of the hon. Gentleman would reduce very nearly 10-11ths of that expenditure. Hon. Gentlemen may laugh, but my hon. Friend actually proposes to reduce our expenditure by an amount nearly equal to 10-11ths of the whole sum necessary for the defence of the country, and this is the essential preliminary to the reduction of taxation which he proposes.

I will not occupy the time of the House in any long argument on this question. This subject has already been fully and fairly discussed on a previous evening of the present Session, and the opinion of the House has been distinctly expressed on the question in the debate which took place on the proposal of the hon. Member for the West Riding. I will not ask the House again, therefore, to rediscuss a question which has been so recently decided; and in calling upon the House to negative the Amendment, I only call upon them to reaffirm that decision which was pronounced a fortnight ago by a very large majority. By so doing we shall also clear the way for a fair discussion upon the Motion of the hon. Member for Buckinghamshire. I shall propose, therefore, to the House, in the first place, to negative the Amendment of the hon. Member for Montrose, and I shall then call upon them for a decision upon the original Motion.

Sir, I now turn to the proposal of the hon. Member for Buckinghamshire. In much of what fell from that hon. Gentleman I entirely concur. I think it is only due to the hon. Member to bear my testimony to the calm and temperate manner in which he has brought forward his Motion. Great difference of opinion exists upon this subject both in the House and out of it; but it does afford me great satisfaction to see that on this, as well as on a former occasion, these great questions have been introduced to the House in such a manner that anything tending to excite party spirit or personal feeling has been avoided, and the House is thus the better enabled to exercise its unbiassed and unfettered judgment. I entirely agree with the hon. Gentleman in the just tribute which he paid to the gentry and the farmers of this country, and their inviolable attachment to the institutions of the State. I concur with him also in the sympathy which he has expressed for the distress which they have suffered at former periods, or under which they may now be suffering. I assure the hon. Gentleman, and those who sit near him, that these are no words of course on my part. It is impossible that any good can befal the agricultural interest in this country, in which I do not myself participate, or that they can suffer any evils of which I must not myself bear a share. Whatever interest I possess is indissolubly bound up with that of land. I cannot, however, permit that circumstance to prevent my giving due consideration to the welfare of other interests, and still less can I be deterred by it from looking to what I believe to be the real and permanent interests of agriculture, even if my views on that subject are not the same as those which are at any one time entertained by the Members who profess themselves to be "the farmers' friends."

I agree with the hon. Gentleman that the local taxation, to which his Motion refers, is a burden pressing more especially on real property, and, of course, including in real property the land and agriculture of the country. The hon. Gentleman may perhaps remember one of the discussions which took place upon the income tax last year, in which I stated as strongly as he could do that this local taxation was, in my opinion, a special burden, to which real property was subject. A proposition was made by the hon. Member for Cockermouth for charging a higher rate of duty on realised property. I stated various objections to that proposal, to which I will not now further refer; but I stated, as the strongest objection of all, that, even if it were just and fair that a heavier charge should be imposed on real property, such heavier burden did actually exist, for the local taxation to the extent of some millions, borne by real property, amounted in fact to a heavy percentage in the nature of a property tax. In this, therefore, I entirely agree with the hon. Gentleman. Nor am I disposed to differ from him as to the amount of the local taxation. I believe, with him, that the poor's rates, church rates, highway rates, and other similar charges, may amount to nearly the sum which he has stated, namely, 10,000,000*l.* The hon. Gentleman stated that it was only fair to take the amount of the land tax at 2,000,000*l.*, and in that too I agree with him. It is true that the produce of that duty is not now so much as the sum named, but as the interest of the sums paid for the redemption of the land tax must be considered as a charge upon the owners of land, it is fair, for this purpose, to take the charge of the land tax at the amount at which it stood before any redemption took place. I agree, therefore, with the hon. Gentleman, both in his main assertion that local taxation does impose a special burden upon land, and also in his estimate of the amount at which that taxation should be taken, namely, 12,000,000*l.*

I am afraid that I have now come to the limit of that in which I concur with the hon. Gentleman. I must now point out the very considerable corrections which it seems to me necessary to make in the further statements contained in his speech.

The hon. Gentleman complained of the gross injustice of raising this amount of taxation upon one-fourth part of the income of the country. I think that he will find that he has considerably underrated the income derived from real property. He indeed stated truly that, according to the poor-rates return, the annual value of real property rated to the poor is 67,000,000*l.* Then, in order to ascertain the total income of the country, he took the last return of the income tax, that for

1848; from which he found that the annual value of the property on which income tax was levied, was 186,000,000*l.*, in round numbers. He then, correctly enough, taking incomes under 150*l.* a year at one-fourth of the whole, made the necessary addition in this respect, and thus arrived at the conclusion that the whole income of the country was, in round numbers, 250,000,000*l.* It is true that 67,000,000*l.* is about one-fourth of this sum. I think, however, that the hon. Gentleman ought not to have been guided by the return of the property rateable to the poor, because it is notorious that there are many inaccuracies in it. The income tax return affords a more accurate criterion of the annual income of the country. I find by a return, which I think appears in the papers laid before the Committee of the House of Lords, which sat in 1846, on the burthens of agriculture, that the value of real property rateable to the poor, according to the income-tax return, amounted not to 67,000,000*l.*, but to 84,000,000*l.* per annum. I presume the hon. Gentleman will allow me to adopt his own rule of adding to this sum for incomes under 150*l.*, and, if so, the result will be that the annual income of the property rateable to the poor will be, not 67,000,000*l.*, but upwards of 100,000,000*l.*

If, now, upon these figures hon. Gentlemen will make a very simple calculation, they will find that the burthen of local taxation will fall not on one-fourth, but on more than two-fifths, of the annual income of the country.

I come now to a more material part of this question; and that is, who are the parties to be benefited by the proposal of the hon. Gentleman? He proposes to deal with large sums—to take off from the shoulders of those who now bear it a heavy burthen, which must be borne by some other parties; and it is most essential that we should be quite clear as to the parties who are to receive so large a boon.

The wording of the hon. Gentleman's Motion is somewhat obscure. At one time it would appear that the parties whom it is intended to benefit are the owners of real property; at another time the agricultural interest; and at another the occupiers of land, as distinguished from the owners. The ground, however, upon which the Motion is founded—the reason for bringing it forward—appears very clearly to be, that, in the opinion of hon. Gentlemen opposite, some compensation is due to the agricultural interest for the injuries which they conceive themselves to be suffering from the recent changes in the law. The petition which the hon. Gentlemen has presented this day confirms me in that opinion. It is a petition purporting to come from occupying farmers, who state that their object is to restore protection, and to obtain the abolition of the malt tax. The hon. Gentleman himself has abstained from making any proposal for the re-enactment of protecting duties; but he stated that his object was at least a mitigation of those evils of which the petitioners complain. I do not think, therefore, that it is too much to assume that the object of the Motion now before the House, is to impose upon those who do not pay it—I do not, at present, say whether rightly or not—a very large amount of taxation, in order to relieve others who are supposed to be suffering. Now, I think, especially when we are dealing with such very large sums, that it is most essential to see that the benefit which we propose to confer really goes to those for whom so large a relief is intended. If it should turn out that the proposal of the hon. Gentleman opposite is, to take 2,000,000*l.* or 3,000,000*l.*, and to put that sum into the pockets of the people who have suffered no injury, I think that is an unanswerable reason why the House should not agree to his proposition. Upon referring to the income-tax returns, which I have already mentioned, it appears that the annual value of real property rateable to the poor is 84,000,000*l.* Of this amount, 40,000,000*l.* only are land, 35,000,000*l.* are dwelling-houses, 1,200,000*l.* are canals, 2,400,000*l.* are railroads, and 5,400,000*l.* mines, and other descriptions of property. Now, I do not see how it can be said that those who are interested in these latter classes of property have been otherwise than benefited by the recent changes in the law. The owners of houses and the owners of mines could not but derive advantage from the general cheapness of articles of food; indeed it has been the constant assertion of hon. Gentlemen opposite, that these alterations were exclusively for the benefit of our large manufacturing towns. The annual value of landed property is less than one-half of that which is rated to the relief of the poor, and therefore more than one-half of the benefit of the relief would be conferred upon those who are not even alleged to have suffered injury, who ask for no compensation, and have not the shadow of a pretence to it.

I will now take the case of the occupiers. I entertain the strongest conviction that the occupiers of land have no interest, or at least a very small one, in the proposal of the hon. Gentleman, because I believe that if there is any proposition which can be proved more satisfactorily than another, it is this—that with the exception of existing leases, and in the case of short tenures during the adjustment of burthens between the tenant and his landlord, the rates are not a charge either on the cost of production or on the tenant, but are, in point of fact, a deduction from the rent.

Two or three years ago, the Committee of the House of Lords on the Burthens of Land inquired fully into this subject. Witness after witness, land surveyors and persons accustomed to value farms for letting, gave the most conclusive evidence that the amount of rates which would be chargeable on the land was always considered by a tenant before taking a farm, and deducted from the rent which he would otherwise pay. I do not profess much practical acquaintance with farming matters; but circumstances have given me a good deal to do with the management of estates, and my own experience entirely confirms this conclusion. The considerations which press upon a man when proposing to take a farm are these:—What is the land worth per acre? What are the annual charges and rates upon it? Having deducted the amount of the latter from what he considers the land to be worth, the difference between the two sums, with a fair allowance for his own profit, is the rent which he is willing to pay. Gentlemen opposite, acquainted with the actual management of landed property, must be as cognisant of this as myself or the witnesses who stated the fact so distinctly before the Committee of the House of Lords. What said Mr. Umbers before that Committee?—"Most undoubtedly I should not be in a situation to give as much for the use of the soil if the poor's rates were double." And he admits that the increase of these rates practically operates as a diminution of the rent. "Before taking a farm, in considering my rent," observes Mr. Hainworth, "I should certainly reckon what the charges were on the land, and increase or diminish the rent accordingly." It must be obvious, therefore, that, so long as the land can pay a rent at all, the rates are a deduction from the rent, and not a charge upon the occupier. I consider it, therefore, to be quite clear, that, with the exceptions which I have already mentioned—chiefly that of land under an existing lease—the occupying tenant has not any permanent interest in the amount of rates; for their payment does not fall upon him, but upon his landlord.

Of the parties, then, whom the hon. Gentleman proposes to benefit, the occupying tenantry have no permanent interest in the question; and of the owners of real property, more than one-half have not the slightest claim to the boon which he proposes to confer upon them.

It is to be observed also—and this fact is well worthy of the attention of the agricultural interest—that the proportion paid by the land towards the maintenance of the poor is year by year diminishing. In the year 1826, landed property paid 69 per cent of the total amount of poor's rates; in the year 1833, 63 per cent; in the year 1841, 52 per cent; and according to the more recent returns which I have already quoted, it is now paying, instead of 69, only 47 8–10ths per cent. The proportion of the poor-rate paid by other property has, of course, undergone a corresponding increase, namely, from 31 to 52 2–10ths per cent.

I have in my hand a document strongly confirming this view of the question, that is, the new valuation of the county in which I reside, and which shows the extraordinary increase in value of the property subject to poor's rates. The valuation of the West Riding of Yorkshire was, in 1816, 1,671,700*l*. In 1834 it had increased to 2,287,500*l*. In the course of last year a new valuation has been made, which is to be submitted to the approval of the Easter quarter-sessions. It is only fair to say that the whole of the increase which I am about to state is not due to increased value, but is in part owing to a more equitable and uniform system of valuation. The valuation, however, has increased from 2,287,500*l*. in 1834, to 3,930,000*l*. in 1848. The result will appear still more remarkable if we look at the comparative increase in the value of agricultural, compared with other descriptions of property. In the wapentakes of Agbrigg and Morley, which are the principal seat of our manufactures, the increase of value since 1834 is 108 per cent. In the agricultural wapentakes of Staincliffe and Ewecross, the increase is only 27 per cent. If I turn to the valuation of towns, I find that of Bradford increased from 50,000*l.* in 1834, to 110,000*l.* in 1848. The valuation of Wakefield has increased from 20,800*l.* in 1834, to 49,000*l.* in 1848. Now, I have the greatest regard for my own constituents at Halifax, and for many friends of mine in the West Riding, who are the owners of real property in these manufacturing districts; but I must say that I am not prepared to leave in their pockets a large sum of money which I think at present they most justly pay.

The hon. Member for Buckinghamshire proceeded to comment at length on the various charges which he thought pressed unduly upon land. The first topic upon which he touched was the repair of roads. Now, with regard to the repair of the highways, I must say that if there is any part of the community which is interested in the proper maintenance of roads, it is the persons who are carrying on the profession of agriculture. How could farming be carried on without them? How is the produce of the harvest to be brought home or carried to market for sale? Good roads are just as necessary to agriculture as good machinery is necessary to manufactures. The hon. Gentleman dwelt upon the hardship to the farmer of the commercial traveller passing over the roads, to the maintenance of which he did not contribute; but it must be remembered that the purpose for which he comes into the rural districts is to supply the village shops with which the farmer deals, and if the roads had remained in the state in which they were in former times, when it was impossible for the commercial traveller in his gig or taxed cart to travel through the agricultural parishes, neither the farmer nor the labourer would be so well off as they are at present, unprovided as they would then be with those articles which constitute their comforts and their luxuries. It must also be recollected that a large portion of the roads is partly maintained by tolls; and nothing can be more just than that the parties who use the roads should contribute towards their maintenance. In this respect, however, a considerable benefit is enjoyed by the agriculturist; for there is an almost universal exemption from toll in favour of the manure used in agriculture.

The hon. Gentleman, in the next place, adverted to the burden of church rates, as pressing severely on the rural parishes; but who, I may ask, ought to be liable to these charges, if it is not the parties who reside in the parish and attend the parish church? In proposing, however, to transfer the whole or a part of this charge to the general revenue of the country, he will, in my opinion, inflict a most signal injury, instead of conferring a benefit, upon the agricultural interest. The church rates are at present a light burden in the rural districts; but the effect of transferring the charge to the Consolidated Fund would be to increase the amount expended in the building and repair of churches; and by far the greater proportion of that increase would take place in our manufacturing towns, where the great masses of our population are congregated. The plan of the hon. Gentleman would, therefore, entail upon the agriculturist a much greater proportion of the payment for the maintenance of the fabric of our churches than at present he is liable to contribute.

I now approach a part of the subject which the hon. Gentleman depicted in those brilliant colours which he so well knows how to use—namely, the expense of public prosecutions. He showed himself, not only a master in the broader effects of light and shade, but in the minuter details of a cabinet picture. He has drawn a most striking picture of Tawell's case, from the hiring of her lodgings at Slough by the unfortunate victim, to the presentation by the clerk of the peace of his formidable bill to the assembled magistrates of Buckinghamshire. The subject has, in the hands of the hon. Gentleman, been most skilfully and artistically dealt with. It produced a great effect upon the House; and the only objection which I can make to his use of these circumstances is, that they clearly tell on my side of the argument, and not on his. Instead of saying, as the hon. Gentleman did, "Look at this charge upon the counties—how monstrous it is!" his explanation ought to have been, "How grateful the counties ought to be for a measure which relieved them from so heavy a charge!" The hon. Gentleman and his friends near him cannot but be aware that the whole of these charges are now borne by the public Treasury, and provided for by the Chancellor of the Exchequer.

I will not stop to notice some of the illustrations made use of by the hon. Gentleman, which were not, I think, worthy of his "great argument," as when he declared that parishes ought not to be called upon to maintain discharged soldiers, because they had not, as parishes, any voice in questions of peace or war; or, that the expenses of the hostilities in the River Plate ought to be defrayed by a rate upon Liverpool, or those of the Chinese war by a rate upon Manchester. I will pass to a much more important question which was raised by the hon. Gentleman—that of the benefit or injury to the agricultural counties from the existence of our great manufacturing interests. I certainly thought that this was a question upon which no difference of opinion could exist. Why is it that the wages of agricultural labourers are higher in Yorkshire than in Dorsetshire? Why do I pay 14*s.* a week for my agricultural labour, when the Dorsetshire farmer pays 7*s.* or 8*s.*? The reason is, that if I do not pay those wages, the labourer goes off to the adjoining manufacturing districts. I remember a circumstance which occurred to a late lamented friend of mine, who had brought a farm servant from a neighbouring agricultural county, in hopes that he would retain a preference for those pursuits in which he had been bred. The man, however, suddenly left him; and when I asked my friend how this had happened, his answer was, "I gave him 16*s.* a week to keep him above ground, but he would go into the pit." Hon. Gentlemen wished us to infer that the greatest injury had been inflicted on some of our southern counties by the existence of manufactures in the north. I think if hon. Gentlemen will turn to the evidence taken before the Lords' Committee, to which I have already referred, they will, on the contrary, find conclusive testimony of the benefits conferred upon our southern counties by the introduction of manufactures. There is abundant evidence of the improvement in the value of agricultural property in the neighbourhood of Tiverton in consequence of the introduction of manufactures by an hon. Member of this House. The evidence of one witness, a somewhat reluctant witness, shows that the effect has been considerable in improving the condition of the inhabitants of Tiverton and its vicinity. In the hon. Gentleman's own county it is stated that the "paper mills of Wycombe employ the poor, and reduce the rates." Can the hon. Gentleman deny that the surplus population has been relieved, and the poor's rates reduced in many rural counties, Buckinghamshire amongst others, by the removal of a portion of the peasantry to Manchester and other manufacturing towns? Is it not true, moreover, that in times of pressure in those towns, the persons so removed would suffer almost any privation rather than apply for relief, lest they should be sent back to their native county of Buckingham? It seems to me to be indisputable that our manufactures are a great source of relief to the agricultural districts by taking off that surplus population for which the land would not itself afford adequate employment. Is it not admitted on all hands that the introduction of manufactures into Ireland would be of the greatest possible benefit to that country? Why is this urged by all those who are best acquainted with the circumstances of Ireland? Because they know that the surplus population of that country, which now can hardly be maintained, would speedily be absorbed if we could introduce into that country even a faint resemblance of Manchester and of Leeds.

I come now to a more extraordinary part of the speech of the hon. Gentleman. In proposing to consider the peculiar burthens upon land, the hon. Gentleman utterly protested against taking into consideration the special exemptions which the land enjoys. I confess that I do not see how it is possible to arrive at a satisfactory conclusion, without adverting to both sides of this question. The hon. Gentleman says he would not deal with the legacy and probate duties. I agree in much that the hon. Gentleman has said upon this question, and that a great mistake very generally prevails as to the extent of the exemption which is enjoyed by land. As regards the legacy duty, I believe that at this moment land, as compared with personal property, pays to the legacy duty in the proportion of about seven to nine of the whole amount of the duty; and nothing, therefore, can be more preposterous than to treat the whole of this duty as a special burthen upon personal property, from which land is altogether exempt. It is true that the first proposal of Mr. Pitt on that subject was defeated in the House of Commons; but Mr. Pitt was too able a man, and too powerful a Minister, to be altogether defeated; and at a subsequent time he carried an Act through Parliament, the effect of which in charging real estate has been what I have stated. I do not mean, at this moment, to go further into that question: I merely allude to it for the purpose of protesting against the absurdity of leaving out of our consideration the exemptions which land enjoys. If I were to assent to the Committee which the hon. Gentleman proposes on the special burthens of land, how could I refuse the appointment of a Committee on the special burthens of personal property? And how could it be expected that any wise or satisfactory conclusion could be arrived at by two Committees, sitting upon subjects so nearly connected with each other, if the first Committee were prohibited from considering the exemptions enjoyed by real, and the second the exemptions enjoyed by personal, property? Such a course reminds me only of the contest of two knights, in the children's story books, respecting the colour of a shield, when, if each combatant had only had the wit to look on the other side of the shield, he would have seen that which would have put an end to the dispute.

The hon. Member for Buckinghamshire somewhat boldly asserted that nothing had been done for land; and he urged most strongly the heavy pressure of the duties of the excise upon the agricultural interest. If, Sir, the hon. Gentleman is prepared to adopt the proposal which is frequently made by some hon. friends of mine behind me, of the substitution of direct taxation for a large amount of that revenue which is now raised indirectly, then, no doubt, those duties might be reduced or repealed. But if, on the contrary, it remains the policy, and, I believe, the wise and just policy, of this country, to raise a considerable proportion of our revenue by indirect taxation, so long must the duties upon articles of consumption, whether imported or produced in the country, continue to be levied to a considerable extent. The hon. Gentleman did not propose, and I think wisely, to repeal the duty on malt. I believe that this duty, like the duty on tea, is paid by the consumer. I believe that the one is no more paid by the farmer here than the other by the agriculturist in China. But even adopting, for the sake of argument, the view of the hon. Gentleman with respect to the effect of excise duties upon agricultural produce, it is not true that in this respect nothing has been done for the farmer. I will briefly recapitulate to the House the amount of excise duties, more or less affecting the agricultural interest, which have been repealed or reduced since the year 1815. I will read the list to the House—

DUTIES REPEALED.	
Beer	£3,106,000
Cider	52,000
Hides, &c.	735,000
Starch	117,000
Tiles	33,000
Vinegar	59,000
	4,102,000
REDUCED.	
Malt	2,352,000
Spirits	381,000
Total repealed and reduced,	£6,835,000

Before the Committee of the House of Lords Mr. Pressly, then Secretary of the Board of Stamps and Taxes, appeared as a witness, and stated the amount in those branches of revenue from which the landed interest has been relieved. The duties have been taken off servants employed in husbandry, horses employed in husbandry, carriages mainly used by farmers, and shepherds' dogs. Hon. Gentlemen laugh at the last item, nor is the amount very large; but is the watch-dog employed by the manufacturer less necessary for the protection of his property than the dog which is employed by the farmer? The former, nevertheless, pays a tax upon his dog, while the farmer's dog is exempt. The whole amount, however, of the taxes of this description, from the payment of which the agricultural interest is exempted, is not inconsiderable, being no less than 985,000*l.* per annum. It has also been relieved from the payment of duty upon the insurance of farming stock. The manufacturer pays duty upon the insurance of all his stock—the farmer is exempt. It is satisfactory to see to what an extent the removal of the duty has led to an increase in the practice of insuring farming stock. In the year 1834 the value of the farming stock insured was 37,211,000*l.*; in 1838, 47,870,000; in 1847, 58,192,000*l.* The duty which would have been payable in the last-named year, if the agriculturists had not been exempted, is no less than 87,288*l.* I have now shown to the House that duties to the amount of 7,000,000*l.* or 8,000,000*l.* have been repealed or reduced of those which are, by hon. Gentlemen opposite at least, supposed to press exclusively upon agriculturists; and this amount must be held to be no slight alleviation of the burthens under which that interest is supposed to labour. But, Sir, this is not all. Between three and four years ago the hon. Member for East Somersetshire (Mr. Miles) stated to the House what he conceived to be the fair and just demands of the agricultural interest. I will briefly recapitulate the items of his statement, and show how far they have been complied with. The hon. Member first proposed that the expense of maintaining the rural police should be borne by the Consolidated Fund. That proposition has not been carried into effect, but it is entirely optional with counties whether they will adopt this force or not. In the majority of English counties I believe it does not exist, and the charge, at any rate, is voluntarily undertaken by those counties which consider it to be for their advantage to do so. His next proposal was, that the farmer should be allowed to use malt for feeding cattle, free of duty. Experiments have been made by scientific persons, at the expense of the Government, on this subject; and I think that it is satisfactorily proved that no great advantage would be derived from the use of malt for this purpose rather than barley which has been steeped, and certainly no advantage at all commensurate with the risk to which the revenue would be exposed. The hon. Gentleman's next demand was for a general Inclosure Bill, and such a Bill has since been passed, very much owing to the exertions of a noble Friend of mine, Lord Yarborough. The result has been very satisfactory, in a considerable increase in the number of inclosures. I will compare four years before and four years after the passing of this Act.

The number of Inclosure Acts passed were—

In 1839 . . .	19
1840 . . .	14
1841 . . .	22
1842 . . .	12
Making a total of	67 in the four years.

After the passing of the new Act, the applications for inclosures were—

In 1845	42
1846	90
1847	87
1848	69
Making a total of . .	288

I think, Sir, when we find that in the last year alone the number of applications exceeds the number of Acts passed in the four former years which I have quoted—that the House will see that the landed interest has derived considerable advantage from the passing of the Inclosure Act, and, further, that the owners do not so entirely despair of the prospects of agriculture as some hon. Gentlemen in this House would lead us to suppose. The hon. Member's next demand was a general Drainage Bill. There are great difficulties connected with the subject, but I hope that in the hands of my hon. Friend the Member for Berkshire no long time will elapse before they are surmounted. The next point was that a portion of the prosecutions should be paid by the State. The hon. Gentleman recommended that "only such cases should be paid for out of the county rates as could not be decided except by a jury at the assizes, and over which the magistrates have no power of decision." The right hon. Baronet (Sir R. Peel) went far beyond the demand of the hon. Member for Somersetshire, and in 1846 he undertook to pay out of the public Treasury the whole of the expense of prosecutions both at assizes and quarter-sessions, and also the maintenance as well as the prosecution of all prisoners convicted of felony or misdemeanour. Nor is the amount of these expenses so insignificant a sum as some hon. Gentlemen may be disposed to think. In last year's estimates the House voted for these two purposes no less than 348,000*l.*, which was formerly chargeable on the county rates. Two other trifling measures were next recommended by the hon. Gentleman—one the payment of half the expenses of coroners, the other the cost of printing the register of votes—neither of which recommendations has been adopted; the amount, however, is so small, that it is not worth while to insist upon it. There have also been voted out of the public revenue, for the expense of the Poor Law Commission, auditors, schoolmasters, and medical relief, a sum of 236,000*l.*; and with regard to our sister country, the charge upon the Consolidated Fund for the Irish constabulary was 486,924*l.* In these respects, therefore, as well as in those remissions of excise duties and other imposts to which I have before alluded, I do not think that the agricultural body has any reason to say that their interests have been utterly neglected—that nothing has been done for the land.

The hon. Member for Buckinghamshire summed up this portion of his argument, by saying, that so far from its appearing that the landholders of this country had been the framers of its laws, it might much more probably be supposed that they were a conquered race, upon whom their triumphant foe, with the stern exclamation of *vœ victis*, imposed unexampled burthens. The imagination of the hon. Member could not conceive a country in which the land paid so heavy a proportion of the taxation as England. Now, if the hon. Member would but descend from the regions of fancy to the dull realities of actual life, he would find that there is hardly a country in Europe in which a larger portion of the national taxation is not paid by real property and land. If the hon. Member would cross the channel to France, he would find that such is the case in that country. If he went across the Rhine to Prussia—if, from thence, he passed over the Baltic to Sweden—if, in coming back, he crossed the Sound to Denmark—if he took the Netherlands in his way home, he would find that in each and all of those countries a greater proportion of the taxation was paid by the land than in this country. I do not say that, therefore, the burthens upon land in this country ought to be increased, because the wealth of this country is to so large an extent derived from our commerce and our manufactures. It is from the wealth of the country, in whatever shape it exists, that the taxation must be drawn; and it is only reasonable, therefore, in this country, that the landed interest should not bear so large a proportion of the general taxation as in those countries where the land forms so much larger a portion of the sources whence their wealth is derived. I only wish to point out to the hon. Gentleman how near and how readily he may find such countries as even his vivid imagination could not conceive.

I will now pass to what is, after all, the main consideration and question before the House, and that is, the source from which we are to raise that amount of taxation which the hon. Gentleman proposes to take off from those who pay the local rates. The hon. Gentleman stated the amount of local taxation at 10,000,000*l.*; but I should wish to know whether he included in that amount the municipal taxes of this country, and the local taxation of Scotland. I understood the hon. Gentleman to say that the sum of 10,000,000*l.* was his estimate of the burthen on English counties; and he, therefore, did not include in his estimate the municipal taxes of this country, or the local taxation of Scotland.

MR. DISRAELI: I did not include them.

The CHANCELLOR OF THE EXCHEQUER continued: I must then add to the burthens which the hon. Gentleman proposes to remove, half the amount of those to which I have just referred. I cannot suppose that he means to exclude Scotland from the benefit of his proposal, or that he will treat gentlemen who happen to live on the other side of the Tweed in a different manner from those who live on this side of the border. Neither can I suppose, from the whole tenor of his speech, that he is not prepared to extend to the inhabitants of towns the same favour as to the inhabitants of rural districts. The hon. Gentleman dressed up with great skill a midland county squire, who complained bitterly of the injustice of being compelled to pay for the maintenance of roads which were used by the commercial traveller, who contributed nothing towards their repair. I apprehend, however, that this midland county squire—I know not which of his hon. friends near him the hon. Gentleman had in his eye—occasionally goes to his county town, and occasionally even comes to this great metropolis, where his carriage rolls along a well-paved street, for which he has never paid, and where at night he walks home by a brilliant light, the expense of which does not fall upon him. I am confident that the hon. Gentleman can never wish to commit so gross an injustice as to exclude either English boroughs or Scotland from the benefit of his project, and I must therefore add the probable amount of their local taxation, say, in round numbers, 2,000,000*l.*, to the charges with which the hon. Gentleman proposes to deal. These, with 2,000,000*l.* of land tax, make altogether a sum of 14,000,000*l.*, one half of which, or 7,000,000*l.*, the hon. Gentleman would take off the shoulders of those who at present bear it, and would transfer it in some way or other to the general taxation of the country. The hon. Gentleman said, that the mode in which he proposes to carry out his plan was suggested by the proposition which I submitted last year to the House for an increase of the income tax. I certainly was much surprised at the statement of the hon. Gentleman, remembering the universal disfavour with which that proposal was received. I thought that my proposal was much more likely to stand as a beacon than as an example. Let us see, however, what would be the effect in detail of adopting the proposition of the hon. Gentleman for an increase of the income tax. I conceived at first that the hon. Gentleman would distribute the 7,000,000*l.* of additional income tax among the various schedules in the same proportion in which they now contribute to the tax. The amount of the income tax in the last year for which we have a return is 5,600,000*l.*, and I have made a calculation, dividing the 7,000,000*l.* among the schedules in the same proportions as each now contributes to the first-mentioned sum.

I will first take the effect upon Schedule A. The result of the hon. Gentleman's proposal would be to impose on Schedule A an addition to the amount of 3,233,000*l.* I confess that I cannot see the policy of this operation. I cannot see the advantage of putting a large sum into one pocket of a particular class for the sake of taking it out of the other. I cannot think that it would be more agreeable to pay a certain sum to the taxgatherer rather than to the collector of rates. This seems to me to be a bootless and unnecessary operation.

Let us, in the next place, see how the proposal of the hon. Gentleman will affect the farmer. I have, I think, already proved to the House beyond controversy that no portion of the local taxation, which is the immediate subject of our consideration, is paid by the occupying tenant. But if we are to impose on the parties included in Schedule B, that is, upon the occupying tenantry of the country, their portion of the 7,000,000*l.*, they will have to pay an additional sum of 405,000*l.* Sir, I must say, that a proposal which would impose on the farmers such an addition to the amount of income tax which they already pay, comes rather strangely from the hon. Gentlemen who profess to be exclusively the farmers' friends. I must say, for myself, that as a landlord I entirely object to taking from my own shoulders a burden which I at present bear, and placing it upon the shoulders of my tenantry. I beg to press this point particularly on the attention of the House, with a view of enabling it to come to a right conclusion as to the practicability of the hon. Gentleman's plan. It is not uncommon for hon. Gentlemen at agricultural meetings to put very prominently forward the case of the occupying tenants, and yet here are those Gentlemen who represent themselves as being pre-eminently the advocates of that class, recommending a change of such a nature as cannot fail of operating in a manner most detrimental to their interests. I will not occupy the House longer on this part of the subject. I will leave to Gentlemen who attended those meetings, who took part in that from which the petition emanated, signed by the Duke of Richmond, and presented to-day on behalf of the occupiers of land, I will leave to them the task of justifying their conduct in supporting a scheme which would impose an additional burden on the tenant farmers to the extent of 405,000*l.*

Such, Sir, would be the effect upon parties paying income tax under Schedule A, and Schedule B, of the plan of the hon. Gentleman. The more I consider the matter, however, the more I am led to believe that he did not really mean that the proposed increase of income tax should fall on those two schedules. I was confirmed in this view of the subject when I heard the hon. Gentleman quote the words of the right hon. Baronet the Member for Tamworth, which he used in the year 1835, in arguing against the repeal of the malt tax. The right hon. Baronet at that time warned the country Gentlemen that the repeal of that duty might lead to the imposition of "a good, comfortable income tax." The hon. Gentleman pointed out to the country Gentlemen that they now have the benefit of both; but what would be the effect on the agricultural interest from the adoption of the proposal which he himself had submitted to the House? He has very wisely abstained from advocating the repeal of the duty on malt, but proposes to more than double the income tax. This course is so contrary to the principles on which the hon. Gentleman is acting, that the conviction is forced upon my mind that, after all, this is not the proposal which the hon. Gentleman really meant to submit to the House. He alluded, however, to this part of the subject so obscurely, that he left it very uncertain what his proposition precisely is. I cannot, however, believe that the hon. Gentleman can be so inconsistent as to double the income tax of the owners of real property, and to subject the occupying farmer to so serious an addition as upwards of 400,000*l.* I am, therefore, irresistibly driven to the conclusion that the real proposal of the hon. Gentleman is to impose the whole of the 7,000,000*l.* upon the three last schedules in the income tax. Sir, this is a very serious proposition. The parties included under the three schedules, C, D, and E, at present pay 2,750,000*l.*; and would the hon. Gentleman impose on them 7,000,000*l.* in addition, or, in other words, more than treble the amount which they have to pay?

There seems to me, however, to be an insuperable objection to this proposal. It is impossible to place this tax on Schedule C. I am convinced that the hon. Gentleman and those who sit around him are the last persons in this House who would support a proceeding which would be a breach of the public faith. They must know that a solemn Act of the Legislature prevents us from taxing the funds as funds. We cannot impose a duty on the dividends of the public funds; we can only tax the proceeds as a part of the income of those who receive them. But then we are bound in justice to tax all income alike. This was the doctrine held by Mr. Pitt, and by all statesmen from Mr. Pitt downwards. I concur in this opinion myself. I so argued the case upon the income tax last year. But I will give the hon. Gentleman every advantage. Some persons do not go to this extent: some persons hold that the justice of this claim on the part of the fundholders would be fairly met if all realised property were subjected to the same charge. But even they do not maintain the possibility of taxing the dividend of the fundholders, unless the same duty is imposed on incomes derived from property included in Schedule A. Even on this view of the subject, therefore, the hon. Gentleman cannot exempt Schedule A without at the same time exempting Schedule C.

His proposition, then, will be reduced to imposing the whole of the additional income tax upon the two last schedules of the income tax, which at present contribute about 2,000,000*l.*; and I think I need do no more than merely state the fact that the classes now contributing 2,000,000*l.* would have to pay 9,000,000*l.*, to convince the House of the utter impracticability of the scheme.

I think, Sir, that I have now demonstrated the utter impossibility of carrying into effect what appears to be the plan of the hon. Gentleman, so far as we can understand it, in whatever shape it is presented to us. I can hardly, indeed, believe that the hon. Gentlemen has applied his powerful intellect to the due consideration of a plan, the details of which are so imperfect. I cannot but think that he is not himself the author of the scheme, but that it must have been suggested to him by some other person accustomed to deal with political questions in a more rash and off-hand manner, and that the hon. Gentleman has only been doing his best to set off in the most attractive colours a plan which is not his own.

But, Sir, independently of the impracticability of the plan as proposed by the hon. Gentleman, I entertain the strongest objections to the transfer of charge from local to general taxation, even on a much more limited scale. I object altogether, and upon principle, to any considerable amount of local and particular burthens being converted into general taxation. I should be very sorry to be a party to making any such change. Indeed, the hon. Gentleman himself stated very strongly objections to substituting a national rate for the present mode of levying the means of supporting the poor. In the year 1845, the hon. Member for East Somerset said, that he could never agree to convert the country into one great union. I think that by such a change we should lose every check upon the economical administration of the funds. This point was inquired into by the Lords' Committee, and several witnesses concurred in the opinion that it would tend largely to increase the expenditure, both for the relief of the poor, and for local purposes, if the expenditure were to be defrayed from the public revenues. Nor do I think that the objection is removed by placing only half the expenditure upon the country at large. The half-grant system has been recently tried in Ireland, and the experiment has not been very successful. Three years' experience has, I think, led to the irresistible conclusion that it is not safe to leave to local parties the power of charging even a portion of their expenditure upon the Consolidated Fund. Nor do I think that it would improve the matter to attempt to vote such expenditure in the House of Commons. I do not see how we could, practically, exercise any efficient control over the expenditure intended for local purposes. It would be impossible for the House of Commons to go into questions of adding a relieving officer in one union, or taking off a medical officer in another, or to deal with many of those questions of petty detail which are the constant subjects of discussion before boards of guardians. If the House of Commons, however, is not to enter into these questions, it can exercise no effective control over this expenditure, and we shall only be blindly voting for expenses the amount of which is to be determined by others. The only safety for the economical administration of this local expenditure is that it should be administered by those who pay the rates by which it is defrayed. If this is not the case, I am convinced that the result would be nothing but waste and misapplication of the funds, and that the proposed transfer would not be a transfer merely, but would end in a positive and considerable addition, both to the local and to the general burthens of the country.

Sir, I object, moreover, to that which would inevitably be the result of this transfer; that is, that the central government would in the end absorb the management of all the local concerns of the country. The hon. Gentleman himself argued strongly in favour of self-government; and no man in the House can entertain a stronger opinion than I do myself upon this subject. I consider that no price is too high to pay for it. I believe self-government to be the rock upon which the stability of all the institutions of this country rest, and it is of far too much value to be lightly surrendered. I think that what is passing on the Continent is a sufficient warning to us in this respect, where they only pass from blind submission to an officer of the central government to obedience to the dictates of a revolutionary committee. I strongly advise the country gentlemen of England not to surrender so invaluable a privilege. I strongly advise them not to attempt to evade the payment of that which is the price of this privilege, our local taxation; for I am convinced that if we surrender our habits and practice of self-government, we shall inflict a fatal injury on what is the best security for the permanence of the institutions of our country.

Sir, I have admitted that the local taxation does press more especially on land; I think, as I thought last year, that the existence of the local taxation is a good answer to any attempt to impose fresh imposts upon real property; I cannot, however, think it wise on the part of the landed interest to press the change which is now advocated. It is impossible not to see that there is much that is very plausible in the arguments of those who advocate the imposition of a different rate of duty upon the different schedules of the income tax. It is impossible to deny that the argument in favour of taxing more lightly that income which arises from uncertain sources, or from the professional exertions of the party paying the duty, is one which is likely to have much weight in future discussions of this question. I think, however, that the adoption of such a course, plausible as it may appear, would be the first step towards a great injustice. I think it would lead to a graduated income tax, and to ultimate confiscation of property. We have an example of this state of things in the recent edict promulgated at Rome, for an income tax of 25 per cent on small incomes, and of 75 per cent on large ones. I think such legislation fraught with serious danger to all property, and I strongly advise the owners of property in this country to do nothing which weakens their ground for opposing any such proposal, even in its most mitigated form. I advise them, for the preservation of the inestimable advantages of our self-government, and the security of our property, cheerfully to pay those local charges which hitherto we have always borne.

Sir, I will not trouble the House much longer; but, before I sit down, I must say a few words in reference to that distress, and the depreciation of price of agricultural produce, upon which so much has been said. I cannot but think—admitting the existence of distress in different parts of England—that the amount of that distress has been much exaggerated. I fully admit that in the southern counties of England distress prevails very generally. I believe that in the counties along the southern coast the crops have been small in quantity, and still worse in quality. I believe that in Sussex, and part of Kent, there has been an abundant crop of hops of an inferior description. The price, therefore, both of hops and of the wheat grown in the south of England is very low, and this circumstance sufficiently accounts for the distress of the southern counties. I do not find, however, from such facts as I have been able to ascertain, that there is in those facts any evidence of the prevalence of extraordinary distress in the other agricultural districts of England. I am inclined to think, also, that the present depreciation of the price of agricultural produce is very much caused by alarm. With reference to the price of corn, the disturbance which has taken place in the markets of the world for the last two or three years is such as to render it no easy matter to arrive at any definite conclusion as to what the price may permanently range at, but I think that there is abundant reason to believe that it is at present unduly lowered by the language held at recent agricultural meetings. With regard to another great article of agricultural produce—namely, meat, I believe that at this moment the price is temporarily depressed below the average rate. Upon this subject the hon. Member for Somerset was wont to express the greatest alarm, and upon turning to the speech which he made in 1845, I find a statement of the prices of meat of various descriptions. The hon. Gentleman very fairly took, not the price of meat at the time when he spoke, but the average price of the preceding year, and I will follow the same course on the present occasion. I will not take the prices existing at this period of depression, but I will take the average of the prices of last year, 1848, and compare them with the prices of 1844, quoted by the hon. Member. I find on this comparison that the price of every article is higher in 1848 than it was in 1844. I give the prices of beef and mutton in Smithfield market, month by month, and the prices per stone were as follows:—

BEEF.

	1844.		1848.	
	s.	*d.*	*s.*	*d.*
January	4	2	4	10
February	3	8	4	8
March	3	10½	4	4
April	3	9½	4	4
May	3	9½	3	11
June	3	8½	4	0
July	3	10½	4	0
August	3	10½	4	1
September	3	9¾	4	1
October	3	11½	4	2
November	3	10¼	4	4
December	4	3	4	6
Average	3	10¾	4	3¼

MUTTON.

	1844.		1848.	
	s.	*d.*	*s.*	*d.*
January	4	3¾	5	2
February	4	6	5	6
March	4	4	5	4
April	4	0	5	3
May	3	9	5	0
June	3	10	4	11
July	3	11	5	0
August	3	11	4	11
September	3	11	5	4
October	3	11	4	10
November	3	10½	4	10
December	4	2	5	2
Average	4	0½	5	1¼

The hon. Gentleman made a further statement of the average price of beasts in the London market for the year 1844. I will now state the prices as quoted by him, and compare them with the prices in 1848, of the same description.

The rates are per stone of 8lbs.:—

	1844.		1848.	
	s.	*d.*	*s.*	*d.*
Inferior beasts	2	7	3	2¾
Second class	3	0¾	3	7½
Third class (large prime)	3	0¾	3	11½
Fourth class (Scots) ...	3	10¼	4	3¼
Inferior sheep	3	2¾	3	9¼
Second class	3	4	4	2¾
Third class (long coarse woolled)	3	8	4	8½
Fourth class (South Downs)	3	11¾	5	1¼
Lambs	4	10½	5	5¼
Coarse calves	3	9¼	4	0¾
Small prime calves ...	4	3½	4	6¾
Large hogs	3	3¾	4	1
Small neat porkers ...	3	10¾	4	9½

I think that, from these statements, we are warranted in conclusion that the apprehensions entertained by the hon. Gentleman in 1845, about the introduction of foreign cattle, have not been justified by the event, and that the present depressed price of meat must be owing to some temporary cause. I am afraid that some of the Gentlemen who support the hon. Member for Buckinghamshire are too prone to entertain unreasonable fears, and to give expression to their fears in language which is only calculated to produce the effect which they themselves would most deprecate. I do not find, however, that their practice always corresponds with the professions in their speeches. I was informed the other day, and upon very good authority, that the following occurrence took place:—A gentleman, a very prominent member of the great society in Bond-street, and who took an active part in their recent proceedings, went down to an agricultural meeting in the country, and, enlarging upon the miserable prospects of agriculture, stated in the strongest terms his belief that 46*s.* per quarter was the highest price which the best qualities of English wheat would ever command. A gentleman near him immediately offered to give him 46*s.* a quarter for all his wheat, good and bad. The offer was refused. The gentleman then offered to give him 46*s.* for his wheat for any number of years for which he would agree to deliver it. No.—47*s.*? No.—48*s.*? No.—49*s.*? No.—50*s.*? Still no: but he did ultimately agree to take 50*s.* for his wheat of this year. I entirely approve of his practice of obtaining as much as he could for his wheat, but I think it would have been as well, if, with this opinion of its value, he had not alarmed his agricultural audience with a prospect of no higher price than 46*s.* for the best wheat they could grow.

[*Cries of* "Name, name!"] I will tell the hon. Member privately who the gentleman was, and when this occurrence took place; but I do not think it convenient or fair to give the names of parties publicly on all occasions.

I will now revert to the evidence which I have obtained through the means of my hon. Friend the Member for Hull of the state of various districts, and I do not think that the facts which I shall mention bear out hon. Gentlemen in their assertions of the general existence of overwhelming distress. I will not refer to the northern counties of England, where manufacturing districts are mingled with agricultural. I will confine myself to counties which are purely of the latter description. I will begin with the county of Lincoln. In 1821 the rental of that county rated to the poors's rate was 2,127,309*l.*, in 1847 it was 2,212,161*l.*, showing an increase of 84,854*l.* in the annual rental of the county. There was a decrease of 19 per cent in the poor's rates between the years 1834 and 1847. The rating in the pound for the poor's rate in 1847 was 1*s.* $2\frac{1}{4}$*d.*, whilst the average rate was 1*s.* $6\frac{3}{4}$*d.* throughout England. The expenditure, however, for the relief of the poor was somewhat higher in 1848 than it was in 1847. The wages of a good labourer were 12*s.* a week, and the deposits in the savings banks, I understand, are increasing. In reference to this decrease in the amount of poor's rates, I find, upon looking into a return laid upon the table of the House last Session, that the six counties in which the greatest decrease of poor's rates has taken place since 1834 are purely agricultural counties. The decrease has been in

Bedfordshire	43	per cent.
Sussex	41	,,
Kent	39	,,
Suffolk	38	,,
Buckingham	33	,,
Norfolk	32	,,

This is strong evidence of the diminishing burden of the poor-rates on agriculture.

I will now state the number of paupers who were maintained in the workhouses in the sixty unions of the counties of Cambridge, Essex, Norfolk, and Suffolk. The total number of indoor paupers during the last week of February, 1848, was 13,511. The number in the corresponding week of 1849 was 13,012, showing a decrease in favour of 1849 of 499. The amount of outdoor relief in the same week was 6,989; in the corresponding week of 1849 was 6,947. If I turn to the midland counties I find pretty nearly the same result. I have before me a statement of the average weekly number of paupers relieved in the workhouses of eleven unions—six in Bedfordshire, and five in the adjoining parts of Northamptonshire for twelve weeks, four of them before, and eight of them since last Christmas. The average weekly number of paupers in the workhouses of those unions during the twelve winter weeks of 1847-8, was 2,301. The average weekly number of paupers in the workhouses of those unions during the corresponding twelve weeks of last winter was 2,010, showing an average weekly decrease of 291. The average weekly amount of outdoor relief in the same unions for the twelve winter weeks of 1847-8, was 1,264*l.*; and the expense for the corresponding period of 1848-9, was 1,161*l.*, showing an average weekly decrease of 103*l.* Looking, Sir, at these facts, I cannot but think that there is no evidence to justify the assertion of general and extraordinary distress. I fully admit, and I sincerely lament, that distress does exist in many parts of the agricultural counties, but I think that its extent must have been exaggerated.

I sincerely sympathise with those who are suffering, but I earnestly press upon hon. Gentlemen not to increase the evil by the use of incautious expressions. I cannot but think that the depression of which the agricultural interest now complains, is aggravated in no inconsiderable degree by the alarm which the language used at their public meetings is calculated to produce.

I do not myself participate in that alarm. I believe that the landowners may fairly rely on the demands of our large and increasing population for an increased consumption of their produce; and I believe that if the people have not a high price to pay for the necessaries of life, they will buy largely those articles of consumption which the landowners of this country alone can supply; but for this purpose it is essential that they should have the necessaries of life cheap. It is essential, above all, to their prosperity that they should have cheap food. Their prosperity I believe to be necessary to ours. I should be as unwilling as any one to see my rents reduced, nor do I anticipate that such will be the consequence of our recent measures; but, even if such were the case, I do not consider that such reduction is the worst thing that could happen to the country. I believe distress among large masses of the labouring population is infinitely worse than any sacrifice of luxuries which the landlords may be compelled to undergo. I believe, moreover, cheapness of food to be of the greatest political importance. I agree with the hon. Member for the West Riding that it was a most important circumstance towards preserving tranquillity in this country during the course of last year, that the labouring classes had great command over the necessaries of life; that the duty on corn was low; that its speedy extinction was certain. I believe that with the well-doing of the great body of the people, our prosperity is essentially bound up; that in their contentment we have the best security for the peace of the country, and for the security of property; and that, whilst all persons have a strong interest in maintaining that security, no class has an interest so strong, so permanent, and so inalienable as we who are the owners of the soil.

Mr. CHRISTOPHER said, that he should be very brief in the observations which he had to address to the House in answer to the speech of his right hon. Friend the Chancellor of the Exchequer. His right hon. Friend admitted the great distress of the labouring population; but in his (Mr. Christopher's) opinion, that distress had been produced by what was called free trade. They had removed every particle of protection from the agricultural interests, while, either for the purpose of revenue, or some other motives, they still continued some limited amount of protection to every other interest in the country. That being so, it became the duty of the agriculturists to look with more care into the nature of the burdens which pressed upon them in particular. He should not attempt to enter into all the statistics that had been referred to by his right hon. Friend. He gave the right hon. Gentleman full credit for sincerity in the views which he entertained on this subject; but at the same time he did not think that the right hon. Gentleman had dealt fairly with the Motion before the House. The Motion had been brought forward by his hon. Friend the Member for Buckinghamshire in a spirit of conciliation. He had not asked for any new system of taxation; but simply that the House should resolve itself into a Committee to hear the alterations that he had to propose in the local burdens of the country, or else allow him to bring in a Bill at once upon the subject. His right hon. Friend the Chancellor of the Exchequer admitted that the local burdens were unequally borne, to the injury of the landed interest. Now, his hon. Friend the Member for Buckinghamshire had shown the taxation borne by the land amounted to 10,000,000*l.* a year, added to 2,000,000*l.* of land tax, making in all 12,000,000*l.* more than was inflicted on commerce and manufactures—exclusive of malt tax. The right hon. Baronet the Chancellor of the Exchequer had gone far to mystify this statement of his hon. Friend the Member for Buckinghamshire. His hon. Friend had stated that there were certain classes exempted in practice from the payment of these local burdens who ought to bear a portion of them; but he had said nothing about increasing the income tax. On the contrary, the proposition of his hon. Friend ought to enable the Chancellor of the Exchequer to repeal the property and income tax altogether. His hon. Friend was of opinion that those who were now exempted from local burdens should be saddled with one-half of the local taxation of the country. The right hon. Baronet the Chancellor of the Exchequer was of opinion that such a measure would not relieve the occupier, but would go to increase the rental of the landlord. He did not deny that the rent was a material element in considering the profits on land; but he asked any man conversant with the state of the country, and the distress prevailing amongst the agricultural classes, whether under any circumstances whatever it would be possible for landlords to raise their rents? The rates were levied on the occupier of the soil; and when it was found in a great portion of these distressed districts to which allusion had been made, that the rent amounted to 7*s.* an acre, and the poor-rate to as much more, how could any person get up and say that the relief to the occupier would not be immediate from the diminution of the poor-rate? While he gave his support to this Motion, he did not think that it was the best remedy that could be devised. If Her Majesty's Ministers could be induced to retrace their steps, and to place an equivalent duty on the agricultural produce of other countries, it would, he admitted, be the best mode of relieving the agriculturists; but as the Legislature had, by its recent policy, precluded them from entertaining that hope, the only other mode of relief open to them was that suggested by his hon. Friend. The right hon. Baronet the Chancellor of the Exchequer said that it was impossible to tax the fundholder, because his money had been advanced on the understanding that no such liability was incurred. But long before any national debt existed, the law of England was, that all property whatever should be rated for the support of the poor. In the evidence given before the Select Committee of the House of Lords, the Rev. Mr. Jones, a Tithe Commissioner, on having his attention called to this subject, thus expressed himself:—

> "The law of England was, and is, except by an act of what I may call legislative violence, that the profits of personal property should be assessed to the poor-rate. Now, at first, the land represented by far the greatest body of property in the country. There might have been at that time a population of 4,000,000, and above 3,000,000 of them were upon the land. Now, the progress of events has led to this state of things: you have a non-agricultural population double that of the agricultural, and that non-agricultural population is put in motion by a mass of capital greater than any that the world has yet seen applied to any system of industry in any country; and by an alteration in the administration of the law, the whole vast income derived from that property has been withdrawn from any contribution whatever to local taxation. The law of Elizabeth was, that everybody should contribute according to his ability, that ability being estimated by the annual value of his property; and the courts of law do not fail to assert that general principle, though they found it difficult to apply it. It was not on account of any alteration in the law, or any alteration in the principle of assessment, but simply from the difficulty created to the courts of law, that this mass of property, which now amounts to, I think, three times, perhaps five times, the amount of the real property assessed, has been entirely withdrawn from local taxation."

Now I say that this is a very great injury to the owner of landed property, and especially an injury to the owner of tithe rent charges. It is said that those taxes are for local purposes, and that it is a tax raised upon a particular district, and expended in the particular district for the advantage of that district, and that therefore there is a sort of equivalent got in a rural district by taking out the stock of the farmer. I do not know upon what ground it is stated that that is to be considered substantially as a compensation to the parties who might otherwise complain. I submit that that is not so. There are two sorts of local taxation, and you cannot predicate of the one what is only true of the other without getting into mischief. There are two kinds of local taxation in a district; one portion of the local taxation is collected and expended in the district, but it is expended for the special advantage of those who contribute to it: for example, take the sewers rate and the highway rate. The sewers rate is expended for the special advantage of those who pay it; and with respect to the highway rate, inasmuch as you must have occupation roads up to a certain extent, no doubt that is for the advantage of those who pay it; but so far as it is not for the purposes of occupation, but for allowing the whole 18,000,000 of Her Majesty's subjects to travel upon it, that is a burden paid by the owner of real property for the benefit of the whole community. Supposing in any district, here are A, B, C, the owners of property, who by the spirit of our law are all liable to be assessed, and who would be assessed if it were not for the difficulties that have been opposed to the working of this principle, if you put upon A, B, and C, a tax which shall benefit the whole district, and which is to be expended in the district, that is a local tax, of which they cannot complain; but if you put, for the purposes of that district, a tax upon A, leaving B and C to escape entirely, that will be a considerable injustice to A. When the law was first enacted, there were three millions of agricultural population and one million of non-agricultural. The non-agricultural has increased to twelve millions now, so that the non-agricultural is double the agricultural; and yet the whole of the property by which the non-agricultural labourers are put in motion, and the whole of the capital which employs them, escapes taxation; and the whole of this taxation is thrown back upon a point which does not move at the same rate as the non-agricultural population, but remains comparatively stationary. It is a very favourite plan with tradesmen, if they thrive in the world, to invest their property in houses, to get a little more income out of it. A town becomes a great manufacturing district. Capitalists come there laying out millions, and going away year after year with properties often counted by the half-million. Then comes one of those fluctuations in the trade of the country which must occur, and to which from its very wealth our country is much more subject than others; and then people are thrown out of employment; a huge burden is thrown upon the unhappy man who has invested his money in real property there, and he is told that he must not complain, because it is laid out for the benefit of the district—that is, it is laid out for the benefit of B and C, whose profits escape, and who have been getting rich while he has been getting poor. This appeared to be not only conclusive as to what the law of England was in the reign of Queen Elizabeth, since which period the national debt had been created, but to be also a sufficient reason why the fundholders ought to be now taxed for the support of the poor, more especially as the recent alterations in the commercial code of the country had been made almost exclusively for their benefit. Before the same Committee it also appeared in evidence that in one parish in Sussex the poor-rates rose in 1835 to the enormous amount of 17*s.* 6*d.*, while the rent of the land did not average more than 15*s.* an acre. Now would any hon. Member contend that if half that rate of 17*s.* 6*d.* were removed from the land, the occupier would not be benefited by it? If he could tell the farmer that instead of paying 17*s.* 6*d.* poor-rate per acre, he would have to pay only half that sum in future, the immediate relief would be almost equal to the whole profits of his farm. [An Hon. MEMBER: Tenants under lease.] Whether under a lease or not did not signify, for he had not such an opinion of the hon. Gentleman as to think that he would take advantage of a tenant from year to year, and raise his rent. In the one case no one could deny that you would call upon him to pay half instead of the whole 17*s.* 6*d.*; and even if the occupying tenants were to be subjected to additional taxation, as the right hon. the Chancellor of the Exchequer had said, to the amount of 400,000*l.* odd, in this particular case at all events, and in most as he believed, they would be the gainers. It was clear to him, from all these arguments that, as far as the occupiers of the soil were concerned, the proposition of his hon. Friend would be the greatest boon that could be conferred upon them. But there were other reasons also why some relief should be afforded to the agricultural interest. It was at present the only interest that was totally and entirely unprotected. They had free trade in every sort of agricultural produce, while in all other articles they had some sort of protection. On referring to the last tariff, he found that glass was protected by a duty of ten per cent; carriages, buttons, copper, iron, leather, and other manufactures had also ten per cent protection; silks had fifteen per cent protection, and the woollen manufacture was likewise protected to a considerable extent. Was it, then, fair or just to exclude the agriculturists from all protection whatever? But there was another very material consideration. He found the agriculturists were not to have the free use of their own land, or be allowed to cultivate it as they pleased. The cultivation of tobacco was entirely prohibited in this country. An hon. Friend of his, connected with the Board of Excise, had stated that the quality of the home-grown tobacco was so inferior, that it would require a differential duty of 1*s.* 10*d.* to enable it to compete with American tobacco. Now, he would not ask any such protection. He merely asked that the agriculturists should have the use of their own land, and be allowed to cultivate it as they pleased. The hon. Member for Montrose had told them the other night, that there was to be no more said about protection in that House; but in reply he begged to say that he had never asked for greater protection than was given to the other interests of the country. All he contended for was, that as the population of this country were highly and severely taxed, and having a heavy national debt to pay, it was a grievous hardship that the owners and occupiers of the soil, in addition to the general burdens of the country, should have these heavy duties placed exclusively upon them. It was said, that other countries imposed heavier burdens upon the land; but it should not be forgotten that other countries also allowed the land greater privileges. What was the law in France? He had not the figures immediately before him; but he believed that until prices rose to an enormous height, the introduction of all agricultural produce was strictly prohibited. They had a sort of sliding scale in that country; but it was not the same as the one that existed here, for they had one sliding scale for the north of France, another for the middle districts, and a third for the south. But what else did the French do? They put, he believed, a double duty upon all corn that was imported into the country in other than in French ships. Under these circumstances, he thought that the agriculturists of France could afford to pay high rates of taxes. Then, with regard to the United States of America, they all knew perfectly well that it was for the interest of the United States to foster the manufactures of their country, and to get rid of their corn as fast as possible. And what does this country do? It takes the corn of the United States at the nominal duty of 1*s.*, while the United States imposes on our woollen cloths a duty of 40 per cent; on yarns a duty of 30 per cent; on manufactured cotton, a duty of 30 to 35 per cent; on silks, a duty of from 20 to 40 per cent; and on every article of clothing a duty was imposed equivalent to an *ad valorem* duty of from 20 to 50 per cent. If that were the case, he asked if it were unfair for the agricultural interest, seeing it was impossible to secure reciprocity, now to come forward and ask for a simple measure of justice? His hon. Friend the Member for Buckinghamshire did not intend to interfere with the income and property tax, which, he must say, would never have existed but for the pretence put forth, that it was only to be imposed for a temporary period. He should be glad, whenever an opportunity occurred, to oppose the reimposition of that tax, though at the same time, under the existing state of things, he thought those who did not pay the local taxes ought to be permanently saddled with an income tax. There were now two propositions before them, the one that of his hon. Friend the Member for Buckinghamshire, the other that of the hon. Member for Montrose, who now came forward under the new title of the "farmer's friend," and who proposed to the House the repeal of the malt tax, in connexion with the diminution of the expenditure of the country. Now, he (Mr. Christopher) was ready to admit the inequality of the malt tax. He admitted that to a certain extent it was an odious tax, as it was excessive in amount, being upwards of 70 per cent; and that it was levied in an inquisitorial manner upon a certain portion of the community. Under these circumstances, he considered that the tax was unjust; and when it was hinted by his right hon. Friend the Chancellor of the Exchequer that the tax was mainly paid by the consumer, he denied the proposition, and he would put a case to hon. Gentlemen on the other side, connected with manufactures, which would show that the statement was without foundation. Suppose the right hon. the Chancellor of the Exchequer, pressed by the want of the malt tax and the removal of local taxation, should propose to the House to raise a tax upon so many yards of cotton, in such a way that it should be necessary for the exciseman to go into the mill whenever he chose, to regulate the machinery, or to measure the cotton, he doubted whether they would ever hear a word from Gentlemen opposite of this tax upon cotton being paid by the consumer. He believed that Manchester and Leeds, and the other manufacturing towns, would resound with clamour against such an inquisitorial and unjust tax. [Mr. HERRIES: That was the case some years ago, when a duty was levied upon printed cotton goods.] But still, admitting the inequality and injustice of the malt tax, he must ask, whether it would be more for the benefit of the owner and occupier of the land, and for those who were occupied generally in the pursuits of agriculture—whether it would be more for their benefit to accept the proposition of his hon. Friend the Member for Buckinghamshire, or that of the hon. Member for Montrose? There was no third proposition before the House, for the Government had proposed nothing. Now, he must say, that those districts which were most affected by the malt tax were not the most suffering from agricultural distress. That part of the country which he had the honour to represent, grew more barley, perhaps, than any other; and he must say, that the most intelligent occupiers of the land whom he had consulted, had always said to him, "We don't care about the malt tax, if you give us back the protection we had before." He thought it was, therefore, better to accept the proposition of his hon. Friend the Member for Buckinghamshire. It would withdraw 6,000,000*l.* from the local taxation of the country, which would be felt as a material relief by that portion of the agricultural population of the country who, on the admission of his right hon. Friend the Chancellor of the Exchequer, suffered most from the present state of things; whereas, if they repealed the malt tax, involving in that repeal the question of reducing the expenditure of the country, he thought they would be compromising the honour of the country; and by the penny-wise and pound-foolish system of the hon. Member for Montrose, they would afterwards find themselves involved in a system of increased taxation. It was worth while to contrast the statements of the right hon. the Chancellor of the Exchequer with the statements of the hon. Member for Montrose. His right hon. Friend told them that there was no general agricultural distress; but those hon. Gentlemen who represented the manufacturing districts admitted that the distress was horrible. Those Gentlemen finding that they had already persuaded the Government to repeal the protective duties, proposed now to advance a step further in the democratic movement. They knew, much better than the Chancellor of the Exchequer did, that the agricultural districts were in the greatest distress, that the labouring population in particular were suffering severely, and they thought this conjuncture of circumstances afforded a good opportunity to withdraw the affections and feelings of the labouring population in the agricultural districts from those whom they had hitherto looked up to as their natural protectors. And with regard to those hon. Gentlemen who talked of the inequality of the malt tax, and of their desire for its repeal, he would refer to the language which the hon. Member for the West Riding had used on two separate occasions. The hon. Gentleman in 1835, when the Duke of Buckingham, then Marquess of Chandos, brought forward in this House a Motion for the repeal of the malt tax, the hon. Gentleman then condemned that Motion as one of the most unfair that ever was introduced into this House; and he said it was the plan of landowners in this House to bring forward Motions which would injure the public credit of the country and compel the Parliament to break faith with the national creditor. But a few weeks ago the same hon. Gentleman went to a meeting somewhere down in the country, where he appeared to commiserate the farmer, denounced the malt tax as oppressive to the community, and professed himself to be most desirous for its repeal. He did not believe that the hon. Gentleman now intended to afford any substantial relief to an interest he had never supported; but it was with a view to create discord between the different classes of agriculturists, and, by inducing the farmers to believe that he was their real benefactor, to lead them to quarrel with those who had always hitherto stood by them. Under these circumstances he could not support the Motion of the hon. Member for Montrose; and he much preferred the Motion of his hon. Friend the Member for Buckinghamshire, who had put forward his case, not, as the right hon. Baronet the Chancellor of the Exchequer stated, in dim visions floating before his eyes, but in the clearest and the most easily understood manner that he had ever heard presented. Under these circumstances, he warned his right hon. Friend the Chancellor of the Exchequer not to run away with the idea that the agricultural interest was not in a distressed condition —that the present state of things would soon blow over. It was impossible for any person who had watched the state of things since the opening of the ports for the introduction of foreign corn not to see that there was not a single week since the ports were opened in which there had not been admitted into the port of London alone at least 30,000 quarters of foreign corn, while the quantity sold in one day only in Mark-lane amounted to 2,600 quarters. Now, admitting this policy to be right, still he would ask whether, in such a state of things, it was possible to maintain that the agricultural interest could be in any other than a depressed state? He could assure his right hon. Friend the Chancellor of the Exchequer that no person in the House was more desirous than he was to maintain the revenue—no person was more desirous than he was, be the Government what it might, not to throw any embarrassment in the way of the financial affairs of the country; but, at the same time, he could assure his right hon. Friend that, unless he directed his mind to the present state of the agricultural interest, with a view to the Government proposing a remedy themselves, or else agreed to the safe remedy proposed by his hon. Friend the Member for Buckinghamshire, he could assure him of this—that, in addition to the other difficulties which beset the Government—difficulties arising from internal dissensions, from the wretched condition of Ireland, and from the general state of Europe—they would have this further difficulty, that they could no longer fall back upon the interest which was now oppressed, and on which, in all former difficulties, Government had relied. They would find that the Government of the country would have all the leading interests against them, and that it would be impossible either for the noble Lord the Member for the city of London, or any other person whom Her Majesty might call to succeed him in office, to defend the institutions of the country.

COLONEL THOMPSON said, keeping accounts was never a point on which he thought himself strong, but it did appear to him that an item had been dropped out of the schedule on the present occasion. It was a very brief period since a tax existed in this country which pressed very hardly upon Gentlemen on his side of the House, and which was supposed to press in favour of Gentlemen on the other side. It was six little weeks—"the funeral baked meats" were hardly cold in Manchester—and he helped to eat them—and in that period hon. Gentleman came forward and complained that they were suffering from the removal of that tax. Now the question he had to ask was this, what do they propose to give us as compensation for the advantage they have had so long? Did they, for example, propose that a duty should be laid for the next twenty years upon home-grown corn, in order to increase the quantity which would be brought from abroad? If it were said that such a tax would be injurious to the community, he had a ready remedy for that—he would commute it for an equivalent charge on rent. He could not now say whether that charge should be equivalent to a tax of ten, twenty, or thirty per cent upon home-grown corn. He was not inclined to be nice upon that point; but give him something—some fair compensation—and let them tell him what they thought that equivalent ought to be, and then, so far as he was concerned, they should have the fairest reckoning with regard to every item on which they were taxed. If there was any protection on this side of the House, he and his friends were ready to remove it as fast as possible. Only let them settle this point of compensation; on which, he could assure them, many Gentlemen around him had a scruple of conscience, for they were pledged to many of their constituents never to forget it. He and his friends were quite willing to give up protection; they had disavowed it long ago; they had declared that they were ready to do their utmost to abolish it, and therefore the blame of its retention did not rest with them. One hon. Gentleman wanted to grow tobacco. Well, he would help him to grow tobacco; he thought it was a perfectly fair and proper thing that he should grow tobacco. The hon. Gentleman also talked of the malt tax. Well, he believed that though that was a very oppressive tax upon the working classes, yet it did mainly fall upon the landed interest. He was therefore ready to come to any fair compensation—only let compensation be first made on the point he had referred to.

The Earl of MARCH:* I cannot conceal my admiration of the speech of my hon. Friend the Member for Buckinghamshire (Mr. Disraeli), in bringing forward this question—a speech characterised in an eminent degree by soundness of argument, extent of information, and eloquence of language. I must own, Sir, I was not a little surprised to hear the right hon. Gentlemen the Chancellor of the Exchequer state that the distress in the agricultural districts was only of a partial nature. Now, Sir, I say, unequivocally, that the statement of the right hon. Gentleman is not founded in fact. I assert, with regret, that distress in those districts is deep and wide spread. When the corn laws were about to be repealed—a measure which nobody deplores more than I do—we were assured that the wages of labour would not be thereby lessened, and that the labourer would be at least as well off with corn at 45*s.* as at 60*s.* a quarter. ["Hear!" *from the free-trade benches.*] Hon. Gentlemen may say "Hear!" but let me test their opinions. The poor-rate is not a bad criterion. Is that burden less heavy when wheat is low priced than when its price remunerates the farmer? I confess the manner in which the right hon. Gentleman opposite (the Chancellor of the Exchequer) treated this important part of the question, amazed me. The right hon. Gentleman carefully selected from the report of the Poor Law Commissioners, unions in four counties, and unions in six counties; but he omitted to state a very striking passage in the appendix to that report. I will, however, supply the deficiency. It appears that, during seven years, when the price of wheat was low, the poor-rates amounted to 34,466,817*l.*; in the seven years when the price of wheat was high, the rates were 34,259,454*l.*, or 207,363*l.* less than during seven cheap years. But there is a still further and much more material increase to be added—I believe the difference in the value of corn during the two periods, may be correctly estimated at 30 per cent. Now, if the amount of pauperism was the same when wheat was 30 per cent lower, there ought to be a still less amount of expenditure. Therefore, take the 30 per cent off the 34,000,000*l.*, and add that 10,000,000*l.* to the sum of 207,363*l.*, and you have the real difference between the cheap and the dear years.

The right hon. Gentleman the Chancellor of the Exchequer has stated that the experiment of feeding cattle with malt was a failure. [The Chancellor of the Exchequer: I said, I thought there was no great advantage in it.] Nevertheless, agricultural witnesses of high character examined before the Burdens on Land Committee, complained of their being restricted from using malt for that purpose, and the Committee reported as follows:—

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* From a printed pamphlet.

> "The tenant farmers lay great stress on the malt duty and its injurious interference with the cultivation of barley. The Committee, however, cannot consider that impost, which, on the average of the last ten years, has produced very nearly 5,000,000*l.* annually, as borne exclusively by the land; beer being almost a necessary of life with the mass of the population, the duty falls as a general tax on the consumers of the article; but it is unquestionable that so heavy a duty diminishes the demand, and deprives of a ready market all except the best qualities of barley. A duty of 21*s.* 8*d.* on a quarter of barley costing 34*s.* is so heavy a tax, that Mr. Barclay is of opinion that no brewer can afford to buy inferior barley and make it into malt. The agricultural witnesses examined before the Committee complain loudly of the restriction the excise laws impose on malting inferior barleys for fattening purposes. The advantages of this process having been matter of dispute between learned chemists and practical farmers, the Committee will content themselves by referring to the evidence of Mr. Hudson of Castleacre, Mr. Bennett, &c., on this subject, and adding that, if further experiments should establish the utility of the process, the malt duty must be considered as a serious obstruction to agricultural economy."

As to the highway rates, the hon. Gentleman the Member for Montrose said, those rates were exclusively for the benefit of the landed interest, and therefore ought to be borne by it. Now, I have been informed, in the Isle of Wight, where there are comparatively few turnpikes, and where all the roads are under the same management, the highway rates vary from 6*d.* to 1*s.* in the pound, for the repairs of roads not exclusively required for agricultural purposes, but for the convenience of those who in great numbers visit that island. I am, therefore, of opinion, that this burden should not be placed upon the agricultural interest: now, what says the report just quoted upon this subject?—

> "The highway rates, exclusive of those which are at present relieved by the aid of the turnpike trusts, amounted in 1839 to 1,169,891*l.* The Committee feel it their duty to observe that the ratepayers not only have not the exclusive use of the highways, but are not even allowed to limit their expense by the repairs necessary for the conveyance of agricultural produce, inasmuch as the roads, if not in a state of repair sufficient for purposes of general traffic, may be indicted by any party using them, although such party is not liable to highway rate. The Committee feel it their duty to direct attention to the probability of the repairs of the turnpike roads falling eventually on the real property. Mr. Baxter states, that in the neighbourhood of Doncaster tolls are paid to the turnpike trusts, notwithstanding the entire maintenance of the roads has fallen on the rates. Mr. Bennet also bears testimony to a rate being raised in the last year for the repairs of the Holyhead turnpike road in his parish, amounting to an expenditure of about 100*l.* a mile. However important may be the advantages which accrue to the landed interests from the improvement of the highways, their maintenance is not less a positive charge or burden affecting the profits of the real property of the country."

The hon. Gentleman the Member for Montrose talks a good deal about his desire for fair play, and his wish for a fair and equitable distribution of the national burdens; but I affirm that land has burdens to bear which are not imposed on other interests. Now, let me put a case to him. I need not mention any names, for there is nothing new or uncommon to cause any doubt about the facts:—

A. has an entailed estate, valued at a clear rental of 5,000*l.* a year, tithe free, and exclusive of the mansion. This estate is directly charged as follows:—

Poor, county, highway, and church rates, at 3*s.* in the pound	£750
Land tax	179
As income tax upon an actual rental of 4,600*l.*	138
As tenants' property tax upon farm above 300*l.* a year on 3,200*l.*	36
	£1,103
House in London assessed for rates at 3*s.* in the pound on 400*l.*	60
Total	£1,163

B. receives 5,000*l.* a year clear from the funds or annuities.

He pays in direct taxes as follows:—

For house in London, rated on a 3*s.* in the pound rate on an assessment of 400*l.* ...	£60
Income tax on 5,000*l.* per annnm	150
Total	£210

In a word, A., in consequence of being in possession of land, is taxed to the amount of 1,163*l.* B., a fundholder of the same income, is taxed to the extent of 210*l.* Does this correspond with the idea of fairness and equality entertained by the hon. Member for Montrose? Does it place the landholder and fundholder on the same footing? The Chancellor of the Exchequer, in the first part of his statement, said, he did not lay claim to the title of practical farmer; and the subsequent portion of his speech made me feel that he had not overstated his deficiencies upon this head. The right hon. Gentleman would not speak with such satisfaction of the state and prospects of agriculture if he were practically acquainted with its condition. The right hon. Gentleman had read a long list of the prices of provisions to show they were still at a remunerating price, which I, however, beg to deny. Why, Sir, the farmers are positively unable to find a market, either in London or the country, for their agricultural produce. I was informed not many weeks ago, by a farmer in Sussex, that though he sent to market corn in good condition and of good quality, it was not merely that he could not get a moderate price, or even a low price, for it, but he could not sell it at all. [*Ironical cheering from the free-trade benches.*] Well, but I know that to be a fact; and I repeat that no price could be had for the corn—it was a drug in the market. As a proof of the great distress existing, I can assure the House that the union poorhouses in the county of Sussex are fuller than they have been since the Poor Law Amendment Act was passed; and there are more ablebodied men in the house in the district in which I reside than have ever been there before—indeed, in the eastern division, I understand there is a poorhouse which is quite full, and that the guardians have been obliged to give much more outdoor relief than heretofore. The right hon. Gentleman the Chancellor of the Exchequer and the noble Lord at the head of the Government differ materially in their view upon the question of the burdens on land. In a letter written by the noble Lord at the head of the Government, and quoted by my hon. Friend the Member for Buckinghamshire in his speech, the noble Lord says—

> "Lord John Russell is deeply sensible of the embarassment caused by the present state of public affairs. He will be ready, therefore, to do all in his power, as a Member of Parliament, to promote the settlement of that question, which, in present circumstances, is the source of so much danger, especially to the welfare and peace of Ireland. Lord John Russell would have formed his Ministry on the basis of a complete free trade in corn, to be established at once, without gradation or delay. He would have accompanied that proposal with measures of relief, to a considerable extent, of the occupiers of land from the burdens to which they were subjected."

But, then, the Chancellor of the Exchequer, in order to show that the opinion in that letter has been carried out, refers back to 1815—a period far antecedent to the date of that paper, and, among other boons which he says have been granted to the agriculturist, enumerates the repeal of the duty upon hides and skins as some equivalent.

With respect to the malt tax, I think it unjust in principle and partial in its operation; and in the county in which I reside, a strong feeling exists in favour of its repeal, and the agriculturists there say, as there is to be free trade in corn, there ought to be free-trade in everything. Under these circumstances, though I am prepared to vote for the repeal of the malt tax, I am not prepared to vote for the proposition of the hon. Member for Montrose. I will tell him why. If I understand him rightly, the hon. Gentleman set out upon the assumption that there are no burdens which press unduly upon land.

Mr. HUME: Oh no! I did not say that.

The Earl of MARCH: Then, what did the hon. Gentleman say?

Mr. HUME: I said if there are.

The Earl of MARCH: If there are? then it is, at all events, a matter of doubt with the hon. Gentleman. But I will take the liberty of reading to him, and to hon. Gentlemen who act with him, something upon this subject—not a hasty expression, or language uttered in the heat of debate, but the cool, well-considered opinion of a political economist, whose name stands high with hon. Gentlemen opposite. Mr. M'Culloch, after speaking of the burdens upon land, says—

> "Such being the case, the agriculturists are clearly justified in demanding, in the event of the free importation of corn being permitted, that it should be burdened with a fixed or constant duty sufficient to countervail the peculiar charges that would fall on the land were the ports unconditionally opened. It is impossible to refuse them this, without trampling on every fair principle. Such protection is not given to the agriculturists as a favour, but to keep them, where they have a right to be kept, on the same level as the other classes of their countrymen. If they be relieved from these peculiar burdens, the necessity for the countervailing duties will, of course, cease, and they may, and indeed should, be repealed forthwith; but the equalisation of taxation at home should, in all cases, precede the repeal of duties on importation."

I think the proposition of the hon. Gentleman the Member for Montrose unwise in its nature, and that it might be disastrous in its results. I will not consent to the adoption of a miserable system of retrenchment, inconsistent with the honour, the safety, and the high position of England. I believe the occupier of land does not ask undue protection or unfair exemption from taxation. I believe he is content to share equally with the other classes of his fellow subjects the burdens of the State; but what he does object to is, that there is more than a just proportion of those burdens placed upon him—he complains, and complains with justice, that the amount of taxation, which before the withdrawal of protection was barely tolerable, has become, since then, altogether intolerable; and although the agricultural interest may not be so large, so wealthy, so influential, so clamorous, or so selfish, as other interests, I believe it is not less to be regarded—that the present is the time for doing what in justice cannot be refused to them—and that you are bound to take their case, without loss of time, into your most serious consideration, unless you mean to leave them the victims of a mischievous and reckless legislation.

On the Motion of Mr. M. GIBSON, the debate was then further adjourned till To-morrow.

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, March 15, 1849.

MINUTES.] PUBLIC BILLS.—1ª Spirits (Ireland).

PETITIONS PRESENTED. From Tipperary, Waterford, Londonderry, and other Places, against the proposed Rate in Aid (Ireland) Bill.—From Ely, and Witchford, for the Adoption of Measures for the Relief of the Agricultural Classes.—From Newcastle-upon-Tyne and Gateshead, for the Repeal of the Duty on Paper.—From the Clergy and Laity of the Church of England, that Art. 11, Sec. 3, Cap. 2. may be expunged from the Criminal Law Consolidation Bill.

PROPERTY TAX—(IRELAND).

The EARL of WICKLOW moved for a return of all assessments under Schedule D. to the property tax, for property drawn from Ireland in the three years ending 6th April, 1848; and also a return of the amount of property tax deducted on dividends paid at the Bank of Ireland to the credit of persons residing in England. He had been informed that there were no returns kept in the office of the Board of Taxes of the revenue so drawn from Ireland. He had heard, but no doubt the statement had been greatly exaggerated, that no less than 8,000,000*l*. of property drawn from Ireland was subject to the property tax in this country. No doubt a very large amount drawn from Ireland was subject to that tax; and therefore now, when an obnoxious and unconstitutional rate was sought to be imposed on Ireland, on the sole plea that no property tax was paid by that country, it behoved those who derived benefit from that source of revenue to state its amount. It might be said he was moving for a return which would cut from under his feet the main arguments against the proposed tax; but he was convinced that if a property tax were imposed on Ireland like that now levied in England, the balance over and above the return of property for which he now moved would be much greater than any revenue which would ever be obtained by the rate in aid. He was sure the Government did not wish to deprive Ireland of the credit due to her for the amount of revenue which she contributed to the Imperial Treasury; but he must mention this fact that an Irish proprietor having stock in the Bank of England, had only to transfer it to the Irish funds, to withdraw it entirely from the liability to pay property tax. That seemed to him to be an anomaly, and certainly it was a premium on absenteeism. If an Irish proprietor—unless he were a Member of the Legislature—for whom an allowance was made—resided in England for a week, he was liable to the property tax; but if he took his family to Germany, Italy, or any part of the Continent, he was entirely free from it. This, no doubt, induced Irishmen to take their families abroad. If the Tax Office should make the same excuse which they had made before, namely, that there was no column to show the country from which the revenue was drawn, he hoped the Government would give them instructions to insert another column, with with a view to ascertain the Irish property which under Schedule D, became liable to the property tax in England.

The MARQUESS of LANSDOWNE said, his noble Friend had given him no notice of his intention to move for these returns, but he had no objection to their being made, "so far as the same can be made up." There were separate sources from which this tax was drawn, and he believed that instructions had already been given to keep a separate account of the taxation paid by the two countries.

LORD MONTEAGLE said, the fact was that since the growth of steam navigation the character of the commerce with Ireland had entirely changed. Prior to that period the duties on foreign and other imports were paid in the respective ports of Ireland; but now the English merchant was the party through whom the goods were supplied from the warehouses, and though the duties were paid in England still the Irish merchant in an indirect manner paid them, though this did not appear in the Irish returns of revenue. He had often wished that a separate account could be made out that would show what Ireland really contributed to the general taxation of the country.

Returns, as amended, ordered.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, March 15, 1849.

MINUTES.] PETITIONS PRESENTED. By Mr. Ker Seymer, from Lyme Regis, against the Parliamentary Oaths Bill.

—From Clergy and Laity of the Church of England, respecting the Proposed Alteration of the Law as affects the Bishops.—By Mr. Osborne, from Llangollen, Denbighshire, and from several other Places, for the Abolition of Church Rates.—By Mr. Tufnell, from the Borough of Devonport, in favour of the Clergy Relief Bill,—By Sir John Yarde Buller, from the Deanery of Woodleigh, in the Diocese of Exeter, and from several other Places, against the Marriage Bill.—By Mr. Renton, from the Borough of Berwick-upon-Tweed, in favour of the Marriage (Scotland) Bill.—By Sir William Verner, from Protestants of Stranraer, in the County of Wigtoun, against any Endowment of the Roman Catholic Clergy.—By Mr. C. P. Grenfell, from a Number of Places in Lancashire, respecting the County Expenditure. —By Mr. Pole Carew, from the Guardians of the Launceston Union, in favour of a Revision of Local Taxation. —By Mr. P. Bennet, from the Hundred of Hartismere, in the County of Suffolk, and by other Hon. Members, from several other Places, for a Repeal of the Malt Tax. —By Mr. Ord, from the Letterpress Printers of Newcastle-upon-Tyne, for a Repeal of the Duty on Paper.—By Sir J. Y. Buller, from the Furness Railway Company, respecting the Taxation on Railways.—By Sir J. Tyrell, from Landowners and Others, of the County of Essex, for the Relief of Agricultural Distress.—By Sir R. Peel, from the Trustees of the British Museum, praying for Aid.—By Mr. Thornely, from Wolverhampton, for an Alteration of the Law respecting Copyholds.—By Sir J.Y. Bulier, from the Deanery of Woodleigh, in the Diocese of Exeter, for an Alteration of the Law respecting Education.—By Mr. Hume, from the Inhabitants of Trinity Ward, in the City of Chester, in favour of a General Conservancy Bill.—By Mr. W. Fagan, from the Mayor, Alderman, and Others, of Cork, in favour of Sanitary Measures (Ireland).—By Mr. Herries, from Merchants, and Others, of Cork, and by Mr. Renton, from Shipowners, and Others, of Berwick-upon-Tweed, against the Navigation Bill.—By Mr. Walter Long, from the Guardians of the Bradford Union, in the Counties of Wilts and Somerset, respecting Poor Law Assessment. —By Mr. Shafto Adair, from the Electoral Division of Cloughogue, in the County of Antrim, and from several other Places, against the Proposed Rate in Aid (Ireland). —By Mr. Grenville Berkeley, from the Master, Matrons, and Others, of the Cheltenham Union, in favour of a Superannuation Fund for Poor Law Officers.—By Mr. Westhead, from Wolverley, in the County of Worcester, for the Suppression of Promiscuous Intercourse.—By Mr. Brocklehurst, from Macclesfield, Cheshire, and by other Hon. Members, from several Places, for Inquiry respecting Public Libraries.—By Mr. W. Fagan, from the City of Cork, in favour of an Accurate Registration of Births, &c. (Ireland).—By Sir George Clerk, from the Rev. J. Steel, Minister of Pormoak, and Simon Forrest, Session Clerk to the same Place, against the Registering Births, &c. (Scotland) Bill, and also against the Marriage (Scotland) Bill.—By the Attorney General, from the Shrewsbury and Chester Railway Company, for Inquiry respecting the River Dee.—By Sir J. Y. Buller, from Salcombe, and its Vicinity, Devonshire, for the Suppression of the Slave Trade.—By the Attorney General, from the Borough of Chester, for an Alteration of the Small Debts Act.—From several Hon. Members, from a great Number of Places, for Referring War Disputes to Arbitration.

THE USE OF CHICORY IN COFFEE.

Mr. ANSTEY said, that by the 3rd of Geo. IV., chap. 53, the sale of any species of roasted vegetable instead of coffee was forbidden, except under a license, which, according to that Act, dealers in coffee could not obtain, the object of the Legislature being to secure the sale of a cheap beverage to the public, and to prevent adulteration. Now, he wished to know whether it was true, as stated in a memorial before the House, that in 1840 the Administration took upon themselves by a Treasury order to suspend the operation of that Act, by issuing instructions to the excise officers not to subject parties to a *50l.* penalty, but to permit grocers and teadealers to sell chicory equally with licensed dealers in that drug? The hon. and learned Member then proceeded to put several other questions bearing on the same subject, when—

The CHANCELLOR of the EXCHEQUER begged pardon if he had misconceived the day. He confessed that he was not prepared to answer the long string of questions which had just been asked; but if they were repeated on Monday, he would endeavour to reply to them *seriatim.*

Mr. ANSTEY begged to give notice that he would ask them over again on Monday.

SAVINGS BANKS (IRELAND).

Mr. H. A. HERBERT asked, whether it was the intention of the Government to prosecute any further inquiry into the circumstances connected with the late failure of certain savings banks in Ireland? The Committee of last Session reported that they had proceeded with the inquiry intrusted to them by the House; but, owing to the late period of the Session, they found themselves unable to bring it to a satisfactory conclusion; and they were of opinion that it was advisable that a further inquiry should take place during the recess, or in the next Session of Parliament, into the existing system of savings banks.

The CHANCELLOR of the EXCHEQUER replied, that pending certain legal proceedings which were going on with respect to these banks, the Government did not think it would be advisable to institute further inquiries.

Mr. H. A. HERBERT begged to ask the Member for the University of Dublin whether there was anything in the present state of legal proceedings pending in the matter of the savings bank of St. Peter's parish, in the city of Dublin, which rendered necessary the postponement of an inquiry by a Committee of this House, into the affairs of the said bank?

Mr. SPEAKER informed the hon. Member that it was contrary to precedent for such a question to be submitted to a private Member.

THE CHOLERA AT LIMERICK.

Mr. MONSELL wished to ask the right hon. Baronet the Home Secretary a question, with reference to which he was afraid the lives of many persons were involved. He believed it was well known in and out of that House that the cholera had broken out with great virulence at Limerick. He found by the returns that in the Limerick gaol there were some hundreds of prisoners confined, and 138 convicts under sentence of transportation. The board of superintendence had lately enlarged the prison; but notwithstanding all the exertions they had used, the present lamentable state of things existed. Eight or ten prisoners slept in a cell, and the day-room accommodation was very limited. If, then, the cholera broke out in such a crowded place, he feared it would be productive of most disastrous consequences; and therefore he wished to know whether the Government were prepared to take the necessary steps for the removal of the 138 convicts, who ought to have been sent out of the country long ago, and whether they would provide additional accommodation for the remaining prisoners?

Sir G. GREY said, he had freely admitted the other night, that the prisons in Ireland were crowded at present to a most dangerous extent, and that a correspondence had taken place between the Government and the Lord Lieutenant of Ireland on the subject. Every effort was being made to afford accommodation, and within a week or two room would be obtained at the Government depôt at Spike Island, and ships would be provided as speedily as possible for the reception of those who were under sentence of transportation. He was not aware that cholera had broken out in any of the Irish gaols; but it was necessary to guard against such a visitation; and one mode of doing this was, to permit the local justices to recommend the discharge of all prisoners who had nearly completed their respective terms of confinement, and whose conduct had been such as to entitle them to a manifestation of lenity.

PUBLIC LIBRARIES.

Mr. EWART presented two petitions from the inhabitants of Birmingham, complaining of the want of public libraries. The hon. Gentleman then proceeded to move the resolution of which he had given notice. He said, for several years they had introduced into this country various enlargements of our formerly exclusive system, in reference to the arts, after the example of foreign countries. We had opened a National Gallery, Hampton Court, and other public edifices; we had established Schools of Design; but there was one instrument of public improvement common to foreign countries which did not exist in this—he meant the institution of public libraries freely accessible to the people. He was sorry to say, that if the House compared the existing public libraries in England with those in foreign countries, they would find them few indeed. In France, he found, from a late publication, conducted by a gentleman to whom the public was indebted for much valuable information on this subject—Mr. Edwards, of the British Museum—that there were in France no less than 107 public libraries, freely accessible to any one who entered them. Over the whole of Germany and Italy the case was the same; while in London there were only two or three libraries which could fairly be deemed, in any degree, accessible to the public. In Liverpool there was not one public library. In Hamburgh there were no less than six. In the large town of Manchester there was only one small one. In Rouen there were two large ones. But to be convinced on this point, let a man only cross the Straits of Dover. In the large town of Dover he would find no library open to the public. In the town of Boulogne he would find an excellent one daily accessible. So far for the old world. The comparison was still more striking when we turned towards the new. In the United States of America there were no less than eighty-one public libraries. It was true that the people of this country had access to the British Museum, and he had no intention to cast a doubt on the liberality of its conductors; but that access was not so easy as it was to the public libraries abroad: there was not unquestioned and unconditional admission, as abroad; and there was not the power of taking the books away, and reading them at home, as in foreign countries. He (Mr. Ewart) believed that the want of such institutions had been a serious damage to our literature. While for a hundred years the writers of the Continent had the consultation of public libraries at their command, those of England had wanted them. Gibbon, in his correspondence, complained that "the greatest metropolis in the world was destitute of that useful institution—a public library." It was stated in one of the works of the father of an hon. Gentleman opposite (Mr. Disraeli) that, in his time, readers were kept waiting two days for a book at the British Museum. Again, let them take the case of Mr. Roscoe, at Liverpool, who was obliged to form his own library before he could compose such works as the *Life of Lorenzo*, or of *Leo the Tenth*. But it was not only the number of foreign libraries, but their perfect accessibility, which he (Mr. Ewart) desired us to imitate. He might be asked what public libraries he thought capable of reform. In the first place, there were at the British Museum about 52,000 duplicate copies of books—of some there were probably triplicates. Out of these it would be easy to form an entirely new library, or to establish a lending library. The Committee he sought for might also inquire into the possibility of improving such libraries as that of Archbishop Tenison, and that of Dr. Williams—the one formed by an eminent Churchman, the other by an eminent Dissenter, more than a century ago. He also included under the head of public libraries those which either levied the tax of a copy of his work upon every author; or those which received money from the Consolidated Fund. Among the former were the British Museum, the Bodleian Library at Oxford, the Public Library of Cambridge, the Library of Trinity College, Dublin, and the Advocates' Library at Edinburgh. Among those which received money from the public, were the Library of Zion College, near London; that of the King's Inn, at Dublin; and the libraries of the four Scottish universities—Edinburgh, Glasgow, Aberdeen, and St. Andrew's. These institutions received annually about 3,000*l.* from the Treasury. The Committee might also inquire into such provincial libraries as the Cheetham Library at Manchester—the only one in England, he believed, as accessible to readers as the libraries abroad; and in Ireland the institution called Bishop Marsh's Library, would deserve consideration—that library, he believed, was unconditionally accessible to the public. He had already learnt, in the course of his inquiries, that there were libraries in provincial towns neglected and decayed, which might be restored and enlarged for the benefit of the public. In all our cathedral towns there were libraries connected with the Chapters. These, indeed, were strictly private collections. The liberal use of them was not, however, altogether denied by those learned bodies who owned them. Some evidence might be given with respect to them also. Next, there were parochial libraries in some parts of the country, which had been established as far back as the time of the Reformation, but which had been suffered to fall into disorder and ruin. Some of these parochial libraries had been restored with the most beneficial effects upon all the neighbourhood; the rest of them might be revived and improved to meet the wants of the times. The important subject of the formation of village lending libraries would also be considered. What then did he propose to do? First, he believed that great good would result from simple inquiry upon the subject: the very origination of it would awaken public attention and exertion. In the next place, he would examine into existing libraries, extending, amending, and reviving them wherever it was possible. Again, he had no doubt that the municipalities of the country, when they found public attention duly directed to so important a subject, would themselves encourage the formation of public libraries in our large corporate towns. Another result would be, that as soon as, at any particular place, a library was formed, a number of individuals would readily come forward with donations. Half the British Museum consisted of donations—indeed it was founded on donations. Sir Hans Sloane's bequest created it. The magnificent donations of Geo. III.'s library, and that of the late Mr. Grenville, with many more, had improved and enlarged it. Nor could he conceive any more honourable object of ambition than that of an individual who wished to see his name inscribed in some department of a public library, and handed down to future ages as a benefactor of his kind. But he repeated that the great good done would arise from the agitation of the question. Public attention would be called to and fixed upon it. They might not bring many treasures into daylight; but, like the countryman's children in the fable, they would be amply recompensed by the result of turning up the ground. For his own part, he should be gratified if, in a sordid age, when nothing but dividends and percentages absorbed men's minds, an opportunity could be given of inviting them to the more ennobling pursuits of literature. Still more should he be gratified if the inquiry tended, however slightly or remotely, to elevate the literary, moral and religious character of the people. The hon. Gentleman concluded by proposing the following Motion—

"That a Select Committee be appointed on existing Public Libraries in Great Britain and Ireland, and on the best means of extending the establishment of Libraries freely open to the Public, especially in large Towns."

Mr. HUME seconded the Motion.

Sir G. GREY said, there was a Committee already sitting upon the subject of the British Museum, whose inquiries would include the library of that institution, and the Committee proposed by the hon. Gentleman would only interfere with the peaceful progress of the labours of the Museum Committee. He was scarcely aware of the object of the inquiry sought by the hon. Gentleman, although he entirely concurred with him that every available and legitimate means should be used for the purpose of extending the establishment of public libraries in all the large towns throughout the country. Nothing could be worse, however, than the extremely vague and indefinite manner in which the hon. Gentleman had spoken of these institutions; and he (Sir G. Grey) did not collect from his remarks any definition of what should be considered a public library, and what should not. The hon. Gentleman had referred to the Advocates' Library, Edinburgh; the Bodleian Library, Oxford; and to the deanery and parochial libraries; but he (Sir G. Grey) did not think that either of those which he had enumerated came within the definition of public libraries. He (Sir G. Grey) was prepared to agree to the appointment of a Committee, but not in the terms used in the hon. Gentleman's Motion. If the hon. Gentleman would omit the words "existing public libraries in Great Britain and Ireland" from his Motion, he (Sir G. Grey) would be quite ready to assent to it.

Mr. EWART accepted the suggestion of the right hon. Baronet.

Motion, by leave, withdrawn.

Select Committee appointed "on the best means of extending the establishment of Libraries freely open to the Public, especially in large Towns, in Great Britain and Ireland."

EXPENSE OF PRINTING PARLIAMENTARY RETURNS.

Viscount DRUMLANRIG begged to move—

"That there be laid before this House, a Return of the expense the Country has incurred from printing and publishing and collecting Returns moved for by the hon. Member for Montrose, from February 1848, to February 1849."

The noble Lord said, he disclaimed any personal feeling, or any desire to cast any reflections upon the hon. Member for Montrose, by bringing forward this Motion. He was quite prepared to withdraw his Motion, and substitute in its stead the Amendment of which the hon. Gentleman (Mr. Hume) had given notice.

Mr. HUME said, that he assured the House there was nothing that he did within its walls that he was unwilling to be made public. He regretted that the noble Viscount had selected the papers moved for by him instead of by every other hon. Member. The noble Viscount fancied that he had found out something new; but he had to inform him that that was the third time this question had been mooted. He feared, however, he was one of those who "did nothing themselves, and who found fault with those who did." He did not deny that he had taken an active part in moving for returns; but if the noble Viscount would mention any returns which he had not acted upon, or which had not been of public service, then he would take all the blame that should attach to him for having moved for useless returns. But when many had moved for returns of which, and of the use to be made of them, they knew nothing, he apprehended that they were to blame, and that he (Mr. Hume) was blameless. From a paper moved for by him, showing the number of papers moved for by hon. Members, it appeared that, in the list from 1 to 50, his name did not appear, neither did it from 50 to 69; and if the noble Viscount would examine the lists, he would find that he (Mr. Hume) had moved for a variety of papers which he conceived most important; and if the noble Viscount would move the appointment of a Committee on the subject, and would state before it the ground on which he made his Motion, he (Mr. Hume) should be prepared to show that all the papers he had moved for were of the utmost public importance — moved for mainly to show how the money of the nation was expended; and he did not, therefore, wonder at the noble Viscount and others objecting to such returns, because, perhaps, they were interested in its reckless expenditure. He hoped the House would agree to his Amendment, and he expressed his gratitude to the noble Viscount for showing the public the pains which he (Mr. Hume) took to instruct them on matters of the utmost importance to them, and the real object of which returns were not all times clearly understood. Four years ago he moved for a number of returns in connexion with tidal harbours, which took two years to prepare, and without which the Commission appointed on the subject would not have been so effective as it had been. He had, also, he perceived by the return referred to, moved for a return of pensions, which had cost 1*l.* 5*s.* preparing, and surely it was not a great grievance, especially considering that it contained the names of many of the noble Viscount's Friends. Many of the returns he had moved for published exposures of the mismanagement of public departments, and showed how the expenditure of the public money could be economised. He did not object to the words of the Motion, but to the spirit in which it was made. Indeed, he should be glad to see such a return published every year. He found, by the paper to which he had already alluded, that the cost of printing the evidence taken before the Election Committees had amounted to from 2,000*l.* to 3,000*l.*, which was only of interest to a small number of persons. Then, again, large blue books, too voluminous for any one to peruse had been printed on such subjects as the slave trade, containing the names of slaves, &c., which could not be interesting to any one. If the noble Viscount had made his Motion a general one, instead of a personal one, he would have been happy to second it.

SIR G. GREY hoped the House would not accede to the Motion; for, notwithstanding the disclaimer of the noble Viscount, the Motion did imply a reflection on the hon. Member for Montrose, which in his case was most unmerited. He could not admit that any hon. Gentleman was responsible for the expense incurred in printing returns; because it was not in the power of any individual to order returns to be made. No returns could be made except by order of the House, or by address to the Crown; and it was the duty of every hon. Member, if he thought any Member moved for a return which ought not to be made, to oppose its production. The House was the best judge whether any returns moved for were of sufficient importance or not to be ordered, and the House alone, therefore, was responsible for the expense. He hoped, therefore, the noble Viscount would not press his Motion.

MR. HERRIES entirely concurred in the opinion of the right hon. Gentleman the Home Secretary, and also hoped the Motion would be withdrawn. The returns moved for by the hon. Member for Montrose had often been of great service to the country, and had never been required in any spirit of personal or party animosity.

VISCOUNT DRUMLANRIG disclaimed all feeling of hostility towards the hon. Member for Montrose, in introducing the Motion on the Paper, and he was quite ready to accept the hon. Member's Amendment.

Motion, by leave, withdrawn.

LOCAL TAXATION—BURDENS ON LAND—ADJOURNED DEBATE (THIRD NIGHT).

The Order of the Day having been read for resuming this debate,

MR. MILNER GIBSON said, he was desirous of explaining to the House the grounds upon which he should feel it his duty to vote on the Motion now under the consideration of the House; and knowing the general desire of the House to be that they should come to a division on the question that night, and having no doubt that many hon. Members on both sides would be anxious to express their views upon it, he would endeavour to make his remarks as brief as possible. The House had two proposals, each involving entirely different principles, now placed before it. The one moved for by the hon. Member for Buckinghamshire was a proposal founded upon leaving the whole amount of the public burdens and public taxation as it stands at present, and merely transferring a portion of the present taxation from one class to another; while the proposal of the hon. Member for Montrose sought to give relief to all classes, agricultural and commercial, by, first, a reduction of the public expenditure, in order that the claims of the national creditor might be duly regarded; and, secondly, by applying the surplus procured by the reduction of the expenditure of the country to the repeal of those taxes which press upon both agricultural and commercial industry. It was of importance that the House should carefully mark the distinction in principle between these two propositions, and then of course it would be the duty of those who approved of the principle of seeking relief from the pressure of taxation for all classes, by reducing the public expenditure, to support his hon. Friend's (Mr. Hume's) Amendment; while those who preferred the principle of granting relief to one class by shifting part of their burdens to increase the burdens of another class—that was, by transferring the existing local taxation to the Consolidated Fund of the national Exchequer—must, of course, to be consistent, vote for the Motion of the hon. Member for Buckinghamshire. There were Gentlemen favourable to the reduction of the malt duty, and others, who thought they might select a better tax for reduction than the malt tax. There were some persons for the repeal of the duty on paper, there were others for the reduction of the duty on tea, and others for an alteration in the tax upon windows. Those hon. Gentlemen who were for a repeal of any of those taxes might consistently vote that the Amendment of his hon. Friend the Member for Montrose should be put to the House. They could, afterwards, as they thought proper, exclude or retain the malt tax, or do what they liked with particular details. They would do nothing by their first vote, but merely give an opinion on the principle contained in his hon. Friend's proposition. He (Mr. Gibson) should proceed to state his reasons for preferring the Amendment of his hon. Friend the Member for Montrose to the Motion of the hon. Gentleman the Member for Buckinghamshire. That hon. Gentleman had invited them to go into Committee of the whole House for the purpose of agreeing to a resolution that they should transfer a charge of six millions to the Consolidated Fund. That, he imagined, would be the resolution which the hon. Member would submit to the Committee of the whole House, if they consented to his proposal. He imagined that such resolution was to be the foundation for a Bill, and that the hon. Member had merely submitted the resolution in its present form, in compliance with Parliamentary usage. But the hon. Gentleman had offered them no security whatever, that when he had transferred those six millions to the Consolidated Fund, he would be able to prevail on Parliament to agree to that addition of taxation which would be necessary if he should carry his resolution. Then, as the hon. Gentleman was opposed to any reduction of expenditure, how could they guard themselves (even if they were favourable to his proposal) from the charge of being willing to risk repudiation, if they were, with their eyes open, and without knowing where they could get the requisite tax to meet a charge, to proceed to create this additional burden, leaving it as a matter of chance whether it should be left as a percentage to be taken off the dividends when they next became due. His hon. Friend the Member for Montrose was prepared for the reduction of expenditure: the hon. Gentleman the Member for Buckinghamshire would keep expenditure as it is; he would put a charge of six millions on the Consolidated Fund, and take his chance whether Parliament would give a new tax, thus making it almost certain that they would not be able to meet the public creditor. They had seen the way in which the proposition to increase the income tax was received last year; and could they expect that a similar proposition would now be received with more favour? Without further dwelling on that point, he would refer to the grounds on which the hon. Gentleman invited them to go into a Committee of the whole House. The hon. Gentleman had said that local taxation pressed entirely on real property, and that it bears with undue severity on that portion of real property that comes under the head of "land for agricultural purposes." The right hon. Gentleman the Chancellor of the Exchequer, in the most able and conclusive speech he had delivered on the preceding day, entirely disposed of this question of the undue pressure of local taxation. He (Mr. Gibson) should not travel through all the details which the right hon. Gentleman had, with so much talent and ability, given to the House; but as he had referred to the right hon. Gentleman's speech, he might say, by way of parenthesis, that he agreed in the whole of that speech, with two exceptions. He did not quite follow the right hon. Gentleman when he attacked the proposition of the hon. Gentleman the Member for Montrose; and he was at a loss to know where those statutes existed, or where those laws were to be found, that imposed the same amount of legacy and probate duty on real property as was required to be paid on personal property. It was new to him that at the present time real property paid the same amount, practically, of tax when passing from the dead to the living; and, so far as he was informed on the subject, he was disposed to believe that the net was not set that had caught in it the real property of the country, and made it subject to the same amount of legacy duty that was levied on the personal estate. On the whole, however, he considered that a more logical and able speech than that of the right hon.

Gentleman the Chancellor of the Exchequer had never been delivered in that House. He should now address himself to the latter portion of the proposition of the hon. Gentleman the Member for Buckinghamshire, namely, that the local taxation fell with undue pressure on the land used for agricultural purposes. He would not quote statistics on the subject; but he would say it was impossible that land used for agricultural purposes could pay more than its due share of local taxation. He would not quote figures; but it seemed to him that the mode in which local taxation was levied precluded the possibility of land, used for agricultural purposes, paying more than houses and mills, or buildings of various kinds. The local rates of the country were levied on the annual incomes arising from real property, and not on the intrinsic value of real property. An estate of arable land sold for thirty years' purchase, the purchaser being satisfied with 3½ per cent for his money; while not more than twelve, fifteen, or twenty years' purchase was given for buildings, so as to yield a return of 7 per cent. In the case of land, the rate was levied on 3 per cent of the intrinsic value; in the latter case, upon 7 per cent. They took, therefore, double the amount of local taxation from buildings that they took from land for purely agricultural purposes. Let anybody take 1,000*l.*, and he would find that if he purchased buildings, it would produce to him an income of 70*l.* a year; whereas if he laid out the 1,000*l.* on arable land, it would only produce 35*l.* a year. In the first case, he would have to pay the tax on 70*l.* a year; in the latter case, he would only have to pay it on 35*l.* a year. The other part of the hon. Gentleman's proposition was this—that real property, as a whole, including arable land, buildings, and every description of property which came under the title, ought not to be charged with all the local taxation of the country. He (Mr. Gibson) admitted that if they were about to begin from the commencement, and impose a local taxation on the country, he was not at all sure that he would be satisfied with the soundness of the principle of imposing the whole of the taxation on real property. He would tell them what his principle would be if they were now about to begin to impose local taxation; but there was a wide difference between the condition of the country now and what it would be if they were about to commence the imposition of those local rates. Property had been purchased liable to them, and they could not, consequently, deal with the question with the same ease as they could if they were about to commence. His principle would be this, in imposing local taxation—he would say that every inhabitant in a district should contribute to the support of the poor according to his means. ["Hear, hear!"] He admitted the principle fully, and no man could deny the soundness of it; but, after all, was it true or was it not, that the house in which a man lived, or the real property which he occupied, was or was not a fair indication of his means? The question was not as to the absolute amount which a man should pay; the question was as to the relative amount in any particular district. They could not levy local taxation for the purpose of relieving the poor, or for the general benefit of the district, on any other principle than levying it first on the inhabitants; but then they should levy it on the inhabitants according to their means. That was a different thing from the proposal of the hon. Gentleman, that they should transfer the burdens from a particular district, or from the inhabitants of that district, to the Consolidated Fund. There might be exceptions to the principle of not assessing every man in a particular district according to his means for the support of the poor; but he considered they would not get a bit more justice in the distribution of the burdens if they had a rate in aid on the Consolidated Fund. Of what was the Consolidated Fund made up? It was made up of general taxation, such as the excise duties and the customs duties that were paid by the industrious classes, and whose payments thereto bore a greater proportion to their means than the rates paid by persons possessing real property could possibly bear to their means. It was complained that they did not at present assess stock in trade of the shopkeeper; but let hon. Gentlemen who thought there was an unfair exemption in favour of stock in trade recollect this—that the farmer's stock in trade was not rateable to the poor. Its value was calculated at 200,000,000*l.* sterling, and if they were to assess the stock in trade of the shopkeeper, it would involve the question of assessing the farmer's stock in trade. As a principle, on paper he might give some kind of general sanction to it; but having taken some pains in looking into the question, he could not see any practical mode of assessing the local rates on the inhabitants of all classes, in accordance with their means, that satisfied him so well as the system at present pursued. The observations of the right hon. Gentleman the Chancellor of the Exchequer were conclusive as to the great public danger there would be in transferring local taxation to the Consolidated Fund. As a business transaction, he would call the attention of the hon. Member for Buckinghamshire to the matter. The hon. Member would still leave one-half of the rates to be levied; and all the cumbrous machinery in connexion with the collection of the local rates would be as great to raise one-half the local taxation, as it now was to raise the whole. It would be as great an expense to make a journey to the country to get sixpence, as it now was to make a journey to get a shilling. It appeared from the report of the Commissioners on Local Taxation that they had no less than 54 different kinds of officers employed in the collection of the local rates, and 180,000 officials were employed in executing the law at one and the same time. Those 180,000 officials, and fifty-four denominations of officers, must all still continue a burden on the real property, whilst they left only a portion of the local rates to be collected. Therefore, if the hon. Gentleman's proposition were one that could be sanctioned on the general grounds of public policy, he would infinitely prefer, while they were about it, to get rid of this cumbrous machinery—make a clean breast of it—and transfer the whole to the Consolidated Fund. Upon those points he would say no more, but would call the attention of hon. Gentlemen opposite connected with the landed interest to the aspect of affairs. Since the corn law was repealed, there was a new political *status* in their counties. Within his own knowlege there were many Gentlemen, formerly connected with the party advocating economy and retrenchment, who during the discussion on the corn laws, were precluded from carrying out their views. First of all, they thought it was necessary to defend the agricultural interests from the attacks of the free-traders; and many persons, ceasing to press their particular views on economy and retrenchment, had become merged as it were in the ranks of the opposite party to that which goes by the name of "liberal." Now, with respect, first of all, to persons connected with real property in towns in the agricultural districts—an influential and important class—he wanted to know what this question, as to the pressure of burdens upon them, had to do with the question of the corn laws. Did the hon. Gentleman the Member for Buckinghamshire mean to contend that a limitation in the supply of food would make the parties in those towns better able to bear the excess of public burdens? What could the question of the recent removal of the corn laws have to do with the interests of persons bearing burdens in towns? A small loaf would be no recompence to a man for bearing, as it was said he had, an excess of burdens upon his real property. He admitted there was distress in some places; but they had distress before. Every person connected with the agricultural districts knew that the distress of 1836, during the time of high protection, when the Agricultural Committee was moved for in that House, was far greater than any distress that could be brought forward at the present time. He thought the question of distress, though admitted to exist in some of the southern counties, and the question of the real property in towns, had nothing to do with the subject now before the House, and might be regarded almost as extraneous topics. Therefore, he should renew his appeal to the landed gentry, and call the attention of hon. Gentlemen opposite to the new *status* in the counties. Let them consider well before they declined to give a vote for the Amendment of his hon. Friend. He did not wish to put it forward as a claptrap, but he would tell hon. Gentlemen that if they acted otherwise, they might commit a serious practical blunder, the effects of which they would not easily get rid of. Let them look to the result of the Motion of his hon. Friend the Member for the West Riding of Yorkshire. Sussex, and Suffolk, and Surrey had supported it, but they would not have voted for it if the corn laws were not repealed. He believed even that Essex was shaken; but the times were changed, protection was withdrawn, and people were at liberty to look after the finances of the country with more than usual vigilance. At the meeting in Essex, the hon. Baronet who represents it (Sir J. Tyrell) delivered a speech that had attracted a great deal of public attention. He was not so imprudent as his hon. Friend the Member for Buckinghamshire, for he did not submit "a plan." He said, "I have no plan for you, fellow-agriculturists, but I advise you on the whole to be satisfied, and to have confidence in your Members." He (Mr. Gibson) would tell the Gentlemen representing the agricultural interests that the time was coming when they were about to be tried, and it would be seen whether they would be found wanting. He did not want to taunt them; but this was the moment when it behoved hon. Gentlemen, and those connected with the agricultural party especially, to think of what they had said on the hustings, and what they had led their constituents to believe; and let them not be hastily led into making some serious political movement. He was never one of those that had agitated the repeal of the malt tax; he never was what is called "a malt-tax man." He never had any peculiar affection for it. He always thought there were very good economical arguments against that tax. He thought it was a tax that was injurious to the manufacturer of malt, as an excise duty requiring him to manufacture malt under a set of regulations that fettered his discretion, and prevented him from manufacturing it in the cheapest way. He considered it was a pressure upon the industry of the country; and inasmuch as England was a country that could manufacture malt better than any other country, from her natural advantages, the consequence of raising the cost of the material of which they made beer must be this—it must affect injuriously their export and import trade, and the general industry of the country. He admitted there was an argument to be urged against all taxes, and the difficulty was to say with mathematical precision where the disadvantage was the strongest when you came to decide between the different taxes. There used to be a salutary rule laid down by a leading statesman in this country, and that was—if they had a surplus to supply the reduction of expenditure, they should first of all deal with those excise duties that pressed upon the various branches of their own manufactures, and affected their success in competition with other countries. On looking to the measures of the right hon. Baronet the Member for Tamworth, in dealing with the tariff and excise and customs duties, they could trace through all his proceedings an adhesion to that principle. When they recollected how heavily it was considered that the excise duties on printed calicoes weighed adversely, not so much on the consumer—who was amongst the humbler classes, as were also the drinkers of beer—as upon the trade and its success, and when they also remembered the arguments that were used by the right hon. Baronet in reference to glass, and which had been likewise used with effect in reference to paper, he was not sure that they should conclude that the arguments against the continuance of the malt tax were not of a very important and stringent character. But if hon. Gentlemen turned their backs on the reduction of expenditure, and pursued this "Will-o'-the-wisp" that was now leading them astray—this monstrous proposition to transfer an immense amount of this kind to the Consolidated Fund—if they turned their backs upon Gentlemen who honestly came forward to advocate the reduction of the public expenditure—they would run the risk of letting this malt tax repeal slip through their fingers, and would not perhaps have an opportunity again for some time of conferring what they believed to be a boon on the labouring classes, but which he thought would be a still greater boon to the general interests of the country. If they could leave 5,000,000*l.* of money, whether levied as a tax on malt or anything else, in the hands of the public to fructify and be used for those purposes their discretion and wishes might suggest, let them depend upon it that they could not leave that sum, under these circumstances, in the hands of the public, without conferring advantages upon them; and when they took it from the public, and expended it in unnecessary establishments, they were using, as it were, on unproductive industry, without any corresponding benefit for the labourer, what might be the means of conferring a boon on society. With respect to the holders of real property, he would ask what was their real position as a class in this country? Were they not sensible that there was no description of property to which greater social advantages were attached than to the possession of land? Did they not know the social position which the possession of an estate conferred, enabling persons to fulfil the duties of magistrates and other duties, and even to become officers and deputy lieutenants? They might deride those things, but still they were sought after, and conferred a value on property. He called upon Gentlemen at both sides to consider well before they selected the Motion of the hon. Gentleman the Member for Buckinghamshire, as that on which the sense of the House should be taken. The arguments he (Mr. Gibson) had used should be sufficient to convince them that it was their policy and duty, and consistent with the course they had taken in their respective counties, to give their vote in favour of the Amendment of his hon. Friend the Member for Montrose. He was sorry the hon. Gentleman the Member for Buckinghamshire had brought them back to a recollection of those animosities which he (Mr. Gibson) wished were for ever and finally settled, and which arose during the discussion of the corn-law question. He had no desire to return to that field in which he used to labour, conscientiously believing the course they were pursuing was one adapted for the promotion of the welfare of all classes of the people. Having disposed of that corn-law question, he was no longer one to be anxious to prolong those animosities between different branches of industry which would naturally arise in discussing a question of this kind. The discussion of the corn-law question, though in reality a question grounded on the broad principle of civil rights and commercial and political economy, was, nevertheless, looked upon as a class question between two branches of industry; and they who had been successful ought to be the last to desire to continue the conflict. It should rather be their policy to convince the Gentlemen connected with the agricultural interests, that they were in the same boat with the Gentlemen connected with the manufacturing industry of the country; that they had a common object in view, and should coalesce to obtain that object. They should labour together on that common ground to effect the reduction of useless expenditure, and bring down their establishments to that point which did not exceed what was necessary for the good government of the country. He would remind hon. Gentlemen, that in the changes lately made in the poor-law system, by which a new mode of giving relief was adopted, a new burden was thrown upon the manufacturing class—but was there any complaint from them? He could say for Manchester, that the arrangement was hailed there with universal satisfaction. Feeling that they should bring down the national expenditure to that level which was not more than was necessary for the safety of the country, and thus conferring relief on all classes, and promoting the commerce, manufactures, and agriculture of the country, he should vote sincerely for the Amendment of his hon. Friend the Member for Montrose.

Mr. KER SEYMER could bear testimony to the distress existing in the agricultural district which he had the honour to represent. In ordinary times nothing could exceed the repugnance of the labourer in that part of the country to undertake a long sea voyage, and yet, in the year 1849, for the first time, they were seen emigrating by thousands, and the only difficulty was in finding sufficient funds. He could not conceive a better proof of the existence of distress. The labourers got cheap corn, but he was sorry to say they did not find a cheap loaf. The right hon. Baronet the Member for Tamworth was always very cautious in naming any particular price of corn, but on one occasion he said it would be very hard if they did not get 45*s.* for wheat. It was now below that. No doubt the distress of the farmers was aggravated by alarm for the future. He had unfortunately lost all but the few concluding sentences of the able speech delivered by the Chancellor of the Exchequer last night. He heard the right hon. Gentleman say that the alarm had been aggravated by the language used. He agreed with the right hon. Gentleman; but the language to which he attributed that alarm was the language used by the hon. Member for the West Riding. They all had admired the ingenuity with which the members of the Anti-Corn-Law League adapted their arguments to their audience. He did not think it quite honest—he meant logically honest, of course—to use arguments so different in addressing different persons, that if brought together they must neutralise each other. The artisan was told he would get plenty of work, but not a word was said about lowering wages. The landlords were promised that rents would not fall, and the farmers were assured that protection was the bane of agriculture. Owing to particular circumstances the effect of the change was not immediately felt, and the farmers began to say, "Well, he is a clever fellow, that Cobden, perhaps he may be right after all." But how stood the case now? What had the hon. Member for the West Riding said within the last few weeks? He said that he owed something to the farmers, and would pay them in kind. Pay them? For what? For removing the bane from agriculture? Why, they ought to be very much obliged to the hon. Member. It was this which alarmed the farmer, for it appeared, after all, that they had lost something by the removal of protection, which was to be paid in kind. They knew that the proposal of the hon. Member for the West Riding to reduce the taxation 10,000,000*l.* was all moonshine. Were they prepared to surrender the colonies and the Indian empire? He should like to ask the hon. Member for Manchester if he thought the natives of India, if left to themselves, would show much skill in improving the culture of cotton, to which the hon. Member attached so much importance? This consideration, showing that the scheme proposed by the hon. Member for the West Rinding was all moonshine, led him to the consideration of the scheme proposed by the hon. Member fer Buckinghamshire. He maintained that even if agriculture were ever so flourishing, provided its prosperity was not owing to any artificial restrictions, the scheme of the hon. Member for Buckinghamshire ought to be carried out, for it seemed to him a scheme founded in justice. The hon. Member for Montrose appeared to misunderstand the argument of his hon. Friend, and to imagine that he wished that Liverpool and Manchester should be rated for certain purposes. The statement of the hon. Member for Buckinghamshire, to which the hon. Member referred, was used only by way of illustration. His argument was, that if every item of expense which at first sight seemed to have a local character was to be made the subject of a local rate, Liverpool ought to pay for the packet service, and Manchester for all the expense incurred in pushing the cotton manufacture. He admitted the extension of our manufactures to be a national object. So was the maintenance of the poor a national object, for it was a national duty—a Christian duty imposed on a Christian nation. He had always maintained that the wealth of a country ought to support the poverty of a country. This he knew the hon. Member for Middlesex would call legalised communism. [Mr. OSBORNE intimated dissent.] But it was a communism which, if it had prevailed for the last three centuries, would have conferred great benefit upon Ireland. The hon. Member for Montrose had intimated that the landlords would put the difference in their pockets. The hon. Member had been living so long in company with the Anti-Corn-Law League that he feared he had imbibed some of their prejudices against landlords; but he would ask any body of farmers if there was any likelihood of the landlords taking advantage of a remission of local taxation, even in the case of tenants at will, because, of course, with those who held under lease it could not be done. No doubt, after a lapse of years, new arrangements would be made between landlords and tenants, and, supposing agriculture to flourish, rents might be raised; and if the contrary, the landlords would have to give up not only half the local taxation, but a great deal more. "But," said the hon. Member for Montrose, "this is no remission of taxation, but an increase." He regarded it as neither the one nor the other; it was merely shifting the burden according to the principles of justice. Remission of taxation was entirely a distinct question, which would not be lost sight of by independent Members on both sides of the House, whatever might be the intention of the Government. With regard to the malt tax, he could not help thinking that the hon. Gentleman the Member for Montrose who had lately assumed the character of the "farmer's friend," had rather exaggerated the ill-effects of it. It was a question which was taken up by a class of farmers who were able to speak well, and whom he should call, without using the word in an offensive sense, the agitating class. These, however, could not be regarded as the representatives of the agricultural interests. Farmers of light land did not so much feel the difficulty, which pressed chiefly on men such as his own constituents, a great part of whom grew no barley, and were not consumers of beer, who farmed heavy land, and drank cider. They had many of the virtues and some of the faults of a former age. They were hearty, hospitable, and generous, lovers of truth; and that was something in a shuffling age. On the other side of the question, they had but little capital. He knew that to be a mortal sin in the eyes of hon. Gentlemen opposite. They had their prejudices, and were slow to adopt improvement; but they were moving, and moving as fast as Prussia—not, certainly, in one direction, but in all that had reference to material improvement. They were also ready to bestow a good education on their children—the best source of improvement. He could not imagine a greater misfortune than the entire ruin of this numerous class. They were neither growers of barley nor drinkers of beer; but they were ratepayers —heavy ratepayers—and it was for this reason why, for their sakes, he felt bound to support the Motion of the hon. Member for Buckinghamshire. The hon. Member for Montrose had argued that the agricultural interest had no right to complain of these burdens, having taken the land subject to them; but it must also be remembered that they also had protection. Protection might be unfair to the consumer, or otherwise; but that it could have operated injuriously to the protected interest itself he never would believe. The hon. Member for Montrose had spoken of the intolerable burden of taxation. Why had this burden, which had been borne—he would not say cheerfully, because John Bull always liked to grumble, but borne patiently up to a recent period—now, all of a sudden, become intolerable? He would tell them why. Because they—a highly-taxed nation, with a national debt such as never yet existed in the world, with a legal provision for the poor such as was to be found in no other country—had chosen to engage in a race of cheapness with the lightly-taxed nations of the Continent. Whether they would be able to continue this system and yet support the establishments of the country and pay the interest of the national debt, he could not say. There was certainly something rather ominous in the language of the orators who spoke at the financial reform meetings with reference to this subject. They made too much parade about the public creditor. Now, if he were addressing an assembly of plain, honest farmers on the subject of the reduction of taxation, he should put aside in his calculations the sum required for paying the interest of the national debt as a matter of course. These Gentlemen were always saying, "Of course, we mean to keep faith with the public creditor." But it seemed to him that a thoroughly honest man would not think it necessary to be continually proclaiming to the world that he did not mean to play the rogue. If he were the public creditor he should certainly feel rather apprehensive. Before he sat down he wished to make one or two observations on what had fallen from the right hon. Gentleman who had just sat down. He said there were two distinct propositions before the House; but this was not the case; for the Motion of the hon. Member for Montrose had been virtually disposed of already, in one night, after a short debate; so that the only question before them really was the Motion of the hon. Member for Buckinghamshire—a most important and a new question—one which had been adopted by a leading organ of public opinion, and which, if justice were done, would obtain greater weight the more it was considered. The other also contemplated the prospect of a breach of faith with the public creditor, because it would be impossible to persuade Parliament to impose the necessary taxes. All he could say in answer was, that it was a matter of simple and plain justice, and that he believed Parliament would find the means, and if the House would but go into Committee, they would soon show them the way to raise the money. The right hon. Gentleman spoke also of local taxation, and attempted to show that the landed interest paid its proper share and no more; but he maintained that it ought not to be local at all. He maintained that the poor-rate ought to be a national charge, and so include all those who now avoided paying it. "Yes," said the right hon. Gentleman, "the principle may be all very fair, but you cannot carry it out." Again, he said, therefore, let the House go into Committee—let the matter be fairly discussed, and the difficulty would disappear. This, however, hon. Gentlemen opposite declined, obviously because they feared to discuss the question in detail, and they, therefore, threw out this *ignis fatuus* of a proposition moved by the hon. Member for Montrose in the hopes that some stray agricultural Members might be induced to follow it.

Lord NORREYS said, that as the plan of the hon. Member for Buckinghamshire must necessarily lead to an addition to the present income tax, and as he was not prepared to vote for any such addition, he could not support the resolution of the hon. Member. The proposition appeared to him to be a step towards that system of centralisation which, whilst it increased the public expenditure, would destroy that local government which secured the peace and tranquillity of the country, and was at the foundation of public liberty. He knew it might be said—and it had been said by the hon. Gentleman who had just spoken—"Why not vote for the resolutions, and allow us to go into Committee to consider the subject?" But entertaining the opinion he did with regard to the plan, it would be, in his view, only a waste of the time of the House, and a mere delusion on the agricultural interest, to vote for going into Committee. Having voted a few nights ago against the Motion of the hon. Member for the West Riding, he could not now, consistently with that vote, and the maintenance of faith towards the public creditor, vote for the proposition of the hon. Member for Montrose.

MR. C. LEWIS thought, that the House was not fully aware of the great amount of change and the magnitude of the considerations involved in the plan of the hon. Member for Buckinghamshire. Having listened to the brilliant declamation which that hon. Member had addressed to the House, it appeared to him that his mind had been principally directed to the evils which existed in the present system, and that he had not, with sufficient attention, considered the consequences of the vast and extensive alteration which he had proposed. The argument of the hon. Gentleman might be stated in a few words—it was that local taxes, as they now existed, fell exclusively upon real property, and were devoted to purposes of general and national interest, and that, therefore, it was not just that they should fall upon that species of property exclusively. That, he thought, was a fair summary of the arguments of the hon. Member, and a correct representation of the principle upon which his resolution was founded. So far from the hon. Member having exaggerated the amount of the local burdens, he believed that he had even underrated them, and he felt bound to admit that nothing could be more accurate and precise than the foundation of his argument. He wished to call the attention of the House briefly to the origin of the incidents of local taxation. They had mainly arisen from the incidence of the rate levied for the relief of the poor. The extensive imposition of that tax had served as a model upon which to found most of the others. The 43rd of Elizabeth, c. 2, provided that the overseers of the poor were to raise weekly, or otherwise, by taxation of every inhabitant, a sum according to the ability of the parish, for the relief of the poor in the parish. Undoubtedly the word "inhabitant" occurred in the statute; and there was no doubt but that personal property was comprehended in the terms of the Act of Elizabeth. But the Court of Queen's Bench, in applying this principle, have, from the beginning, given a narrower construction to the Act, and we have no reason to believe that there ever was a time when personal property was generally rated for the relief of the poor, or for any other local rate. It had been held that a person residing in one parish, and having personal property in another, was not liable to be rated; farming stock was held not to be rateable; wages of labourers, all proceeds of personal ability and professional earnings, were also held to be not rateable. Stock in trade was the only species of personal property which the courts had held to be rateable, and that only in cases where profit was made upon it; a deduction was also allowed to persons engaged in business for debts. In effect, therefore, the statute of Elizabeth had fallen exclusively upon real property. Now, as that statute appeared to have included property generally, it was very natural to inquire why it was that the courts, during the course of a century and a half, had found it convenient to exclude personal property from the liability of being rated. It could scarcely be doubted, upon consideration of the subject, that the reason why the exception had been made, and why the rating was limited to the visible property in the parish, was because it was found scarcely possible to levy a local rate upon any other principle. Any attempt to levy a local rate upon the income of the parish would necessarily lead to the greatest possible confusion and difficulty. Connected with this limited incident of the local rates, had been the administration of the funds so collected by the local authorities, by persons who had an interest in economising the funds, and carrying properly into effect the objects for which the funds had been raised. Such was the system which had grown up under a tentative administration of the law of rating since the year 1603 to the present time. He wished to call the attention of the House to the amount of local rates at present levied, and which, according to the plan of the hon. Member for Buckinghamshire, he would provide for, to the extent of one moiety, by a charge upon the general Exchequer. The amount collected for poor's-rates, including county and borough rates, in England and Wales, was, during the last year, 7,817,000*l.* The highway rates, according to the most recent returns which they had, amounted to 1,600,000*l.*; the last return which was made, six or seven years since, with respect to church rates, showed the amount collected under that head to have been 400,000*l.* About 100,000*l.* was raised from other sources besides church rates, the expenditure being 500,000*l.*; the actual rates amounted, however, to only 400,000*l.* There were then numerous other rates, such as watching, paving, lighting, and other miscellaneous charges, which he thought he should not over-estimate if he took together at 500,000*l.* These sums would make together a total of 10,317,000*l.* The rates received for relief of the poor in Scotland during the last year had amounted to 544,000*l.* The hon. Member for Buckinghamshire, in laying his estimate before the House, had omitted altogether the case of Ireland. Before the House came to any vote upon the plan of the hon. Member, it would be necessary to consider whether the principle laid down would not necessarily involve a similar substitution of charges upon the Treasury for Ireland. He could not conceive any reason why, if they were to vote one-half of the amount of the poor and county rates for England, they could refuse a similar vote for Ireland. Within the last few days they had been called upon for a vote to supply the deficiencies of the poor-rates in the western parts of Ireland; and whatever argument would apply to a national rate in aid in England with respect to the poor, would apply with double force to the present state of Ireland. Now, the rate raised for the relief of the poor in Ireland, in the year ending September last, had been rather more than 1,600,000*l.*; but, as no doubt the expenses had been very much swelled in consequence of the increased distress during the last year, he would take it at 1,500,000*l.* only. The amount of county cess in Ireland during the same period amounted to 1,000,000*l.*, which gave a total for Ireland of 2,500,000*l.* Adding, therefore, these expenses to those of England and Scotland, they would obtain a total of 13,000,000*l.*, to which, according to the plan of the hon. Member, would have to be added for land tax 2,000,000*l.*, making in all 15,000,000*l.*; one moiety of which would become a charge upon the national treasury. A transfer of 6,500,000*l.* of local taxes, without reckoning the land tax, to the Exchequer, and the imposition of additional taxes to meet that amount, would be so great an alteration in our financial system, and would involve such important consequences, that it was obvious the House would do well to consider before they agreed to the plan brought forward by the hon. Member for Buckinghamshire. But there were other considerations besides the mere financial one, which would be involved in so extensive an alteration. Our present system of local administration rested upon the collection of local rates exclusively in a particular district, and upon the interest which the administrators of those local rates had in the expenditure. Now, if half the amount of this expenditure was provided for by the Treasury, could it be doubted that the interest of the administrators of the fund would be weakened, and that the character of the local administration would be altered? Again, could it be supposed that such an amount could be permitted to go out of the public purse without a detailed examination of the expenditure by the House? The influence of the House would undoubtedly be exerted to insure a proper application of the funds, and to exact from the Government an account of the manner in which these funds had been applied. The hon. Gentleman said, that he proposed to make the sums which were transferred from the local rates a charge on the Consolidated Fund, meaning of course thereby, that the charge would be upon the Exchequer, and that an annual vote to that extent would be required from the House. Now, he would ask hon. Members to consider what would be the debates in that House when the Chancellor of the Exchequer presented his annual estimates of these rates in aid of the poor-rate and other local rates? Would it not be a dereliction of the duty which they owed their constituents if they failed to inquire into the application of the half of a sum of 13,000,000*l.*? It seemed to him that they must either place the entire management of local affairs with the Exchequer, and part with the control over all those objects which were now defrayed by local taxes, or they must leave them as they were at present, to be defrayed exclusively from local charges. It was one of the fallacious assumptions involved in the hon. Member's plan that the amount of the local rates would, if it came into operation, remain stationary. [Mr. DISRAELI: I think the amount would very much increase.] He said, that was admitting what constituted a most powerful objection to the plan proposed. The great security for keeping the relief of the poor within bounds consistent with the safety of property—bounds which had been nearly passed at one period in England — and had been actually passed in some districts in Ireland—was a strict adherence to the principle of local taxation and administration. If one union could vie with another in demanding remittances from the Treasury, the total amount of expenditure would be seriously increased. The hon. Member himself seemed to admit that that kind of peril was involved in his plan. [Mr. DISRAELI: No!] At all events he was not entitled to assume that the amount of charge would remain stationary. If, for instance, the half of a sum of 5,000,000*l.* was to be increased to the half of 8,000,000*l.* or 9,000,000*l.*, it was clear that very little relief would be afforded to the owners of real property, and that the country at large would suffer to the extent of the difference between the present expense and the increased expenditure. In conclusion, he expressed his decided opinion that the adoption of this plan would afford no relief either to the owners of real property in general, or to the agricultural interest in particular.

SIR R. LOPES said, that in making the few observations which he had to address to the House, he should not forget that it was useless to speak of protection. That the removal of protection had a great deal to do with the present position of agriculture he firmly believed—*hinc illæ lachrymæ*. With reference to the recent alterations that had taken place in the tariff, all parties seemed to admit that these new measures must be tried, in order to ascertain whether they had worked for good or evil to the country. The experiment, it was contended, must have a fair trial, and all would rejoice if it was successful. If, on the contrary, these measures failed in the great object they must all have in view, that of the amelioration of the condition of the people, none, he was satisfied, would be so obstinate as to persist in their being persevered in any longer. That, however, still remained in the womb of time. Meantime, that most important interest, the landed and agricultural interest, should be at once looked into; and if, under the new system, and the altered circumstances in which it was placed, as regarded protection, it was found that greater burdens pressed upon it than it was fairly entitled to bear, alleviation ought to be given to it by a more equal distribution of these burdens. Even under the former circumstances of the country, he had always been of opinion that the land bore more than a fair share of the burdens of the country. Considering the new interests that had sprung up since the burdens were first imposed upon the land, how different must the condition of these parties be now, when these large and wealthy interests were comparatively free, and when the land was obliged to compete with that of other countries, which were not so heavily loaded as they were, and which enjoyed much greater advantages in point of climate, soil, and cheapness of labour. He would not enlarge upon those local rates, of which there were some six or seven levied upon the land; but it should be borne in mind that when they were originally imposed, the land was the great interest of the country. It never could be urged, and it never was the spirit of the law, that all the burdens should fall upon real property; and even had such an arrangement been originally intended, it was the duty of the Legislature to look into the question, and see that there was a fair and equitable division now made of the burdens of the country. What gave value to the land? Why, the application of capital and industry. These ingredients, when properly employed, created that property from whence the rates were derived. Then, he contended, this was a tax upon capital. If, then, they had such a burden upon land, he would ask the reason why it was not also placed upon the trade, commerce, and manufactures of the country? In enumerating the many burdens that had been placed upon land, he was reminded of the land tax, that rendered a large revenue annually to the State. Under these circumstances, he submitted that there were good and just reasons shown for a new arrangement of taxation. Exemptions had been alluded to. But what were these? The chief one, which had been so much relied upon, was the legacy and probate duty. Now, this exemption was by no means so large as was generally imagined. If, however, landed property was so exempted, it paid a large sum into the revenue in the shape of stamps for mortgages, transfers, deeds, &c. Whereas in the transfer of funded property, it was only necessary to give 2*s.* 6*d.* to a broker. The hon. Member for Montrose, and, in still stronger terms, the right hon. Gentleman the Chancellor of the Exchequer, seemed to intimate that this was solely a landlords' question, and had argued that whatever was remitted in taxation would be converted into additional rent for the advantage of the landlord. If even, for the sake of argument, he admitted this to be the fact, yet, if it were proved that the landed interest of the country bore much larger burdens than ought fairly to be imposed on it, he would ask whether the consideration of justice and right was to be influenced by looking at the particular party that was to be benefited by an impartial adjudication? But he denied that it was exclusively a landlords' question. In the county he represented (Devonshire), there was a large number of yeomen, of a superior order, who were remarkable for their intelligence and industry in the farming of their land. There was a numerous body of that sort of men who were fit to occupy seats in that House. There was also a numerous body of small but independent freeholders who, though in possession of only perhaps a few acres of land, yet maintained a respectable position in life. All those had claims upon the consideration of the House, which should not then be overlooked. The right hon. the Chancellor of the Exchequer intimated to the House that the landholders had exaggerated the pressure upon agriculture. He (Sir R. Lopes) knew that distress prevailed at the present time in the agricultural districts to a very great extent; but, in his opinion, that distress was only in its beginning, in comparison with what it would be if something was not done to relieve the land of those burdens which were so unfairly cast upon it. They all hoped for the best; they would not despond. In the meantime, however, it became the duty of the Government, who maintain these principles, if they rejected the proposal of his hon. Friend the Member for Buckinghamshire, to devise some other means by which the sufferings of the agricultural body might be alleviated.

Sir M. J. CHOLMELEY hoped that, as he was so little in the habit of troubling the House, he might reckon upon their attention for a short time while he made a few observations upon the subject then under discussion. In the outset, he would say that it was his intention, after some hesitation, to vote for the Motion of his hon. Friend the Member for Buckinghamshire. He believed it was allowed on all sides of the House, that there existed at present great alarm and despondency in the agricultural interest, and he did think that it was due to that important interest that this House should at least express their sympathy with it by granting the Committee that was moved for by the hon. Member for Buckinghamshire. He confessed that he was rather startled, and felt some hesitation as to the course he should take, after the able speech that was made last night by the right hon. Gentleman the Chancellor of the Exchequer. Were he convinced that the only alternative left them was a good round increase of the income tax, he should have much doubt as to the propriety of the course he was then taking. But he was of opinion that there were certain other means by which they could relieve themselves of the difficulty created by the adoption of the hon. Member for Buckinghamshire's suggestions. And though that hon. Gentleman was too prudent in the responsible situation which he occupied to state them, he (Sir M. J. Cholmeley), as one of the irregular corps, might venture to say that a good comfortable sum might be found in the imposition of a moderate fixed duty upon corn. He was the more convinced of that, because he contended that such a tax would not come chiefly from the pocket of the consumer, but from that of the importer. He was still further fortified in that opinion by a conversation which he had had recently with an influential gentleman who had carried on an extensive trade in foreign corn. That gentleman assured him that about two years ago, when their mischievous legislation in this respect began to work, that he could produce any quantity of corn in this country at the price of 3*s.* 6*d.* a bushel, and anything he made beyond that sum would be his own profit. By this statement, he of course meant to show that it was in his power to obtain a very considerable profit. He would grant that a good deal of the expenses to which the land was subject, arose from the unsettled state of other countries, and the race of competition that was going on, one with another, just as if a friend had invited him to partake of a luxurious dinner, with a bottle of Chateau Margaux, he (Sir M. J. Cholmeley) would feel equally bound to give, in return, as good an entertainment as that which he had received, although, perhaps, he would be consulting his own health and comfort more by partaking of a plainer dinner and humbler julien. Now, what was technically called the landed interest had numerous ramifications. It, however, consisted chiefly of landlord, tenant, and labourer. The weaker one, in case of any serious pressure, was sure to go to the wall. The labourer was nearly reduced to the extreme point of starvation, and, as it lately happened in his county, he vented his ill-humour in the terrible shape of incendiarism. The state of things had already commenced in his own county, which, after all, was better off than many others, and they were obliged to send for some of the detective police from London to try to check it. He would join the hon. Member for Buckinghamshire in counselling the agricultural party not to press for the abolition of the malt tax, because he was certain that if they did they would be much dissatisfied with the result. He thought that this was much more a consumer's tax than a farmer's tax. It had been said, that it would be a great boon to the farmers if they could feed their cattle with malt. Now, he would state the result of an experiment which he had himself made a few years ago. He had fed two beasts upon malt, and two upon oil-cake. He calculated the price of the malt, taking it at the average price—allowing 30*s.* for a quarter of barley. The oil-cake was 10*l.* a ton. The result was—leaving of course out of the question the amount of duty—that the beasts fed upon the oil-cake turned out much better, and produced him a far better profit, than the beasts that had been fed upon malt. He was convinced that, even if the duty were taken off malt, the farmers would ultimately return to the use of oil-cake for their cattle. In respect to the inducement which might be afforded to the labourer to brew at home, he thought that very few would be found to avail themselves of this advantage if the duty were removed. It was the practice in his county to give to the labourers a certain quantity of malt, together with their wages; but it was found that they generally swopped the malt for some other article they preferred. He was, therefore, convinced, that this great boon of the abolition of the malt tax would be derived by the consumer, and not by the producer. In conclusion, he would say, he could not help thinking that, both upon the ground of good policy and good feeling, the House would do right to grant the Committee that was now asked for.

Mr. W. MILES said, he had listened to the speech of the hon. Member the Under Secretary of State for the Home Department with great respect, not only on account of the situation he at present held, but from the recollection of those duties which, in another department, he had filled so ably for so many years. He found that the hon. Gentleman, in speaking of the construction to be put upon the Act of Elizabeth, as to the parties liable to be rated, admitted that all kinds of property were taxable, and yet he went on to state that stock in trade was the only kind of personal property now held by the courts to be rateable; and that an annual Bill exempted stock in trade from the tax. But his hon. Friend the Member for Buckinghamshire, in bringing forward this Motion, went to first principles when he referred to the Act of Elizabeth to show what was originally the property rateable. It was on the poor-law assessment, that being the largest of the local taxes, that the county rate, the highway rate, and the church rate, were laid. But he was surprised that the hon. Under Secretary of State should have been misled by the visionary light which the Chancellor of the Exchequer and the hon. Member for Manchester had set up for their guidance, namely, that if the proposition of his hon. Friend the Member for Buckinghamshire was assented to, that these charges were to be defrayed by an additional income or property tax. The Chancellor of the Exchequer said that it must come from the one or the other; but let the House go into Committee, and the right hon. Gentleman would find himself mistaken. The hon. Member for Buckinghamshire said nothing whatever of the kind; he said nothing of the Exchequer, of an income tax, or of a property tax. He (Mr. Miles) had listened with the deepest attention—and who could not—to that able and interesting speech; and the only allusion made to the subject was when his hon. Friend said that a machinery did exist by which taxation to relieve real property might be levied—but beyond that there was no allusion to placing a tax upon income or property. He would now leave this visionary enemy, and address himself to the point under discussion; but before doing so he must deny the conclusions drawn by the hon. Member for Manchester, from the fact that three county Members who usually acted with the protectionists voted the other night for the scheme of financial reform introduced by the hon. Member for the West Riding. Of those, one usually agreed with the hon. Member for the West Riding; and with the exception of the other two, the Members for Sussex and Suffolk, there was no flinching on his (Mr. Miles's) side of the House. At the same time he admitted that the hon. Member for Manchester was better likely to know "the political status" of the country than he was; but he was surprised to hear the hon. Member say that if these taxes were to be imposed anew, he would not burden real property so much. It was by an appeal to those very first principles thus admitted by the hon. Member for Manchester, that the present Motion was founded. The hon. Member for Montrose, on moving his

Amendment, had used the most extraordinary argument ever heard of—namely, that these taxes, now so much reprobated by the landowners, were originally placed upon real property in lieu of military service. Where did the hon. Member get this notable piece of information? If he had referred to the history of his namesake, he would have found that there was military service in the time of Charles II., and a kind of poor-law so far back as Richard II. He would, without further delay, come to the two propositions before the House—that of the hon. Member for Buckinghamshire, and the other, the Amendment of the hon. Member for Montrose. And how different were those propositions? The one looking for an equitable readjustment of taxation without in any way adding to the debt; the other a mere *ad captandum* budget, in which the hon. Member for Montrose did not even say how he would make up the deficiencies in the revenue which he proposed to create. [Mr. HUME: I did say.] He listened to every word of the hon. Member's speech, and was left entirely at a loss on that point. There was, however, this remarkable feature in the hon. Member's Amendment, namely, that although the hon. Member declared himself an opponent of the malt tax, he was himself quite certain the Amendment would not be carried. These were the friends on whom the agriculturists were invited to depend. When next the hon. Gentleman came forward as a great financial reformer, he would do well not only to state what changes he would make, but how they would affect the different classes of the community. It was admitted that a pressure existed on real property by the imposition of these taxes. This had been recognised by the first statesmen that House had witnessed. He would only quote one authority, and it should be that of a person who he was certain would be acknowledged to be a most competent witness upon this subject, and whose administrative talents in all the offices in which he had been placed by Her Majesty, would be fully recognised and acknowledged by the House—he meant the right hon. Baronet the Member for Ripon. He recalled to the recollection of the right hon. Baronet the Agricultural Distress Committee of 1832 or 1833, of which he was chairman, and of whose opinions he had drawn up a most able report. In that report a passage occurred which described the agricultural distress of that period—a description completely applicable to the present time, except that now there was not the protection which the farmer then possessed as his sheet anchor, and that the average price of wheat was 53*s.* while now it was only 45*s.*:—

> "The Committee beg to glance at certain outgoings borne by the farmer, which are clearly established by the evidence—burdens which, when there is a profitable return, press upon him most severely, and which, at the present prices, reduce him to the greatest distress."

If that were so then, how could the farmers support these outgoings at present prices, with a difference of 8*s.* per quarter in the price of corn against them? The report went on to say, that—

> "while these burdens pressed exclusively upon the land, it behoved Parliament to watch those burdens imposed by law which they had in their power, and endeavour to reduce them."

And the report added, that there was this anomaly in the case, that—

> "expenses for the general utility were defrayed by local taxation."

He conceived that a clearer or better statement of the object now sought to be obtained than that contained in this report could not be found. All they wanted was, that expenses for the general utility should be defrayed by general taxation instead of local. He would now read, for the information of the hon. Member for Montrose, a short extract from Blackstone:—

> "The poor of England, till the time of Henry VIII., subsisted entirely upon private benevolence, and the charity of well-disposed Christians. For though it appears by the Mirrour, that by the common law the poor were to be sustained by parsons, rectors of the Church, and the parishioners, so that none of them die for want of sustenance; and though by the Statute 12th Richard II., cap. 7, and the 19th Henry VII., cap. 12, the poor were directed to abide in the cities and towns wherein they had dwelt for three years (which seems to be the first rudiments of parish settlements), yet, till the Statute of 27th Henry VIII., cap. 25, I find no compulsory method chalked out for this purpose; but the poor seem to have been left to such relief as the humanity of their neighbours would afford them. The monasteries were, in particular, their principal resource; and among other bad effects which attended the monastic institutions, it was not, perhaps, one of the least (though frequently esteemed quite otherwise), that they supported and fed a very numerous and very idle poor, whose sustenance depended upon what was daily distributed in alms at the gates of the religious houses. But, upon the dissolution of these, the inconvenience of thus encouraging the poor in habits of indolence and beggary was quickly felt throughout the kingdom, and abundance of statutes were made in the reign of King Henry VIII. and his children, for providing for the poor and impotent,

which the preambles to some of them recite had of late years greatly increased."

Then followed that most admirable law, the 43rd of Elizabeth. For some time after that Act was passed, the charge for the maintenance of the poor was levied on all descriptions of property; but this principle had been deviated from, and it was now imposed on one description of property to the exclusion of all others. There was no doubt that the county rate had been increased from time to time by placing charges on it which there was a difficulty of placing on other funds. The county rate had been increasing progressively since the year 1793, till at length its pressure on the agricultural interest had become intolerable. In the year 1793 it was 184,000*l.*; in 1803, 235,000*l.*; in 1813, 510,000*l.*; in 1823, 571,000*l.*; in 1833, 757,000*l.*: and so on, till in 1847 it had reached the enormous and almost incredible proportion of 1,310,000*l.* If from that sum were deducted the expenses on account of prosecutions—an item formerly charged on the county rate, but now paid by Government — it would be seen that the rate had amounted, in 1847, according to the most moderate calculation, to 1,058,819*l.*, to which enormous sum it had risen from 184,000*l.* in the course of fifty-four years. That fact, though it stood isolated and alone, would be sufficient to justify the agricultural interest in imploring the attention of that House to their case; but if the Committee now sought for were granted, he would take the taxes one by one, and undertake to show that the pressure of each and every one of them on the agricultural interests and the real property of the country was most unjust, inequitable, and unfair. Without pausing to examine whether the calculation of the hon. Member for Buckinghamshire, as to the real property of England constituting but one-fourth of the entire property of the empire, was or was not critically accurate, he was prepared to demonstrate what was sufficient for his case — namely, that the pressure of taxation on the real property of the country was intolerably severe, and most flagrantly disproportionate. Having stated so much, it might be now permitted to him to allude to a subject of most painful interest—the distress which had been occasioned in the agricultural districts, by reason of the fatal error committed by that House in adopting a free-trade policy. He resided himself in a portion of the country where, unhappily, very great distress prevailed; and he was sorry to say that he was in a position to give upon this subject conclusive evidence from personal observation. He assured the House that he spoke with deliberation, and with the most accurate knowledge of the fact, when he stated that in the districts of the country with which he was conversant the best saleable wheat of last year's produce — a produce, by the way, which, no matter what assertions might be made to the contrary, was, nevertheless, unquestionably deficient in quantity, and inferior in quality), did not fetch a higher price than 42*s.* per quarter. He had himself sold 1,200 bushels, and the very highest price he could obtain for it was 42*s.* But he was a most fortunate man, for the cases were numerous and of everyday occurrence, when the tenant farmers brought their produce to market; but the factors would not so much as look at it. The hon. Member for Dorsetshire had stated, that in his part of the country a vast number of the tenantry were men of very small capital: that was also to a very great extent true in the part of the country with which he (Mr. Miles) was acquainted. Many of them had now to live from hand to mouth; and not being able to sell their wheat, they had been, in many instances, obliged to bring into the market half-fatted stock, which they were compelled to dispose of at prices ruinously low. It was impossible that such a state of things could continue. It was fraught with ruin, and would eventually lead to consequences which it was impossible to contemplate without terror. No less than three million quarters of wheat were imported into this country from foreign lands last year. The population of England and Wales in the year 1847 was supposed to be about 14,350,000 persons, and assuming that the average consumption was a quarter for each person, it would be seen that the foreign importations amounted in the aggregate to about one-fifth of the entire consumption of these parts of the empire. How could it be expected that under such a system any other result should follow than the deplorable one they were now called upon to contemplate? The importation of live stock from foreign countries had been increasing, year by year, in the same extravagant ratio. According to the last return that had been presented to that House, it appeared that in the course of a whole year it amounted to no less than 195,000 head of cattle. These importations of live stock, and the enormous influx of foreign grain, had contributed to create the distress of the agricultural districts; but it was a mistake to suppose that distress was limited to those districts exclusively. He was prepared to show that the manufacturing districts also had suffered most dreadfully. The consumption for their fabrics could not now be so large as it was when they had steady and solvent customers in the agricultural population, and that fact had something to do with the scale of prices which now prevailed at Smithfield. He was sorry that the hon. Gentleman the Secretary for the Treasury (Mr. Parker) was not in his place, that he might give some explanation respecting the official statements of the total imports of foreign stock which had been recently issued by the Board of Trade. Those statements, he feared, were grossly inaccurate. They were, in fact, from the beginning to the end, one unbroken tissue of falsehood. He had consulted the *Mark Lane Express* of Monday last in order to obtain authentic information as to the state of the markets, and under the head "Smithfield" he found a statement which, if false, ought at once to be contradicted, but, if true, was important beyond the power of language to exaggerate. The papers having reference to the trade and commerce of the country which were placed, from time to time, on the table of that House, ought invariably to be prepared in the most discreet and judicious manner, and with the most scrupulous regard to accuracy; for of all the voluminous documents printed in that House for the use of the country, there were none which would bear comparison with them in point of national interest and importance. However, if the statement of the *Mark Lane Express* were to be depended on, he feared that the returns were made up in a manner which reflected but little credit on the department from which they emanated. It was as follows:—

"Within the last few days, a statement has been issued by the Board of Trade, purporting to give the total imports of foreign stock into the United Kingdom, during the month ending on the 5th of February, 1848 and 1849. The statement in question is as under:—

"Imports into the United Kingdom for the month ending Feb 6, 1848, Feb. 5, 1849.

Oxen	478	477
Cows	245	235
Calves	67	196
Sheep	728	786
Pigs	29	28
Total	1,547	1,722

"It must be obvious to all acquainted with the subject, and more particularly to those who have watched the progress of the arrivals, that the above returns are extremely inaccurate. That correct official returns are invariably important, not a doubt can be entertained, but such extremely erroneous as those given above are calculated to mislead the grazing community, as well as the public at large. To prove our position, we here give the arrivals of stock into London only from the 6th of January to the 3rd of February inclusive—the period, doubtless, embraced in this official document.

"Arrivals of stock from abroad into London from the 6th January to the 3rd February inclusive, current year:—

Week ending.	Beasts.	Sheep.	Calves.
Jan. 13	188	817	50
Jan. 20	177	1122	107
Jan. 27	150	616	78
Feb. 3	369	799	182
Total actual arrivals	893	3354	417
Corresponding month in 1848	473	2432	93

"Now, it may be asked, how have these discrepancies crept in, when it is shown that a larger number of sheep alone came into London than the whole of the stock stated by the officials to have arrived in the United Kingdom? The fact is, a most serious, we will not say wilful, blunder has been committed by some parties, and the sooner it is corrected the better. It must be understood that the Customs in London publish daily a statement, compiled from the ships' manifests of the imports, deliveries, &c., of all articles reported. Those returns prove the accuracy of our own, and the absurdity of those published by the Board of Trade."

He had felt it his duty to read that extract to the House, but having done so, he would not dwell on the subject further than again to express his opinion that the trade and commerce returns ought to be printed on all occasions with the utmost possible accuracy, so that they might faithfully reflect the state of our commercial interests, and give a clear and impartial insight into the condition of trade. With the present prices of agricultural produce, both as regarded corn and malt, the farmers had great difficulty in existing at all; and they had a clear right to call upon the Government to relieve them from the pressure of imposts which were bearing them to the earth. In the year 1845, when no less a sum than 3,500,000*l.* was to be distributed in diminution of taxation, he applied to have some portion of the distribution made in favour of the agricultural interests, but all his efforts were unavailing. His right hon. Friend, who was then Secretary of State for the Home Department, admitted the great pressure of the burdens on land, but justified it on the plea that the landed interests enjoyed protection:—

> "I admit," said the right hon. Gentleman, in reply to him (Mr. Miles), "that the landed interest is entitled to protection, but, at the same time, I feel that these peculiar burdens are rightly placed, and I am opposed to their removal. The landed interest derives a certain protection on account of these burdens, and I do not think it should attempt to throw them off; and, at the same time, to retain that protection which is given on account of them."

So spoke the right hon. Gentleman in 1845. Protection was now abolished, through no fault of theirs; and yet they were still subjected to the same burdens which, in bygone years, they had to endure, but which were then justified on the plea of protection. However, while one shred of protection was left, he, and those with whom he acted, would stand by it to the last, and they were not without hope that their efforts would eventually be crowned with success. The division the other night on the navigation laws afforded justifying evidence of what might be effected by a determined band of men who were resolved to leave nothing that was practicable unessayed to uphold what they believed to be not only beneficial to their country, but essentially necessary to its national prosperity. That division showed how year by year they would prosper, increase, and multiply. With the leave of the House he would say a few words upon the question brought under their consideration by the hon. Member for Montrose—namely, the total repeal of the malt and hop duties. He was one of those who had uniformly voted for the remission of those duties whenever the question had been mooted—he had never blanched from his opinions upon the subject, and his name would be found in that division which for a season repealed those duties. But they were asked by the hon. Member to take those taxes and others into consideration, with a view to their total repeal; and it became their duty to inquire how they were to make up the deficiency in the revenue which such repeal must cause. When he looked at what had fallen from the hon. Member for the West Riding—when he heard that hon. Gentleman say that the only practicable reduction was in the Navy, the Army, and the Ordnance—something there was to be from the Civil List, but nothing worth speaking of—when he found that, he felt it his duty to look around at the present state of Europe and the world. They must do so before they effected a great reduction in the establishments of the country.

Mr. M. GIBSON: We contend for a reduction of that which was to be temporary expenditure.

Mr. MILES: Had the times so changed as that they could get rid of their temporary expenditure? Were they to reduce 11,500,000*l.* expenditure to 1,500,000*l.* in the present state of affairs? Was that the argument brought forward by hon. Gentlemen opposite? If so, he would not occupy the time of the House in answering anything so futile. For these reasons he could not give his vote in favour of the Amendment of the hon. Member for Montrose. He had made no secret of his feelings upon the subject to the tenant farmers whom he had lately met, and generally they approved of the course he meant to take. He said the time had not come for the repeal of those duties; and why? Because all classes of the community had not yet sufficiently felt the pinch of free trade. But the time was fast approaching when they would. When he looked at their exports of cotton, of woollen, of earthenware, and of Birmingham goods, for the last year, and compared it with the previous year, he found that they had fallen off 4,500,000*l.* Look even at the labouring population of the metropolis. A meeting had been held, in December or January last, close to where they were sitting, at which it was stated, and it had never been denied, that out of the 200,000 artisans and labourers generally employed, one-third only were fully employed; another third were employed three or four days in the week; while the other third were wholly unemployed—so that they in some degree already felt the disadvantages under which they laboured from the competition with the foreigner to which they were exposed. Look particularly at the silk trade—the competition was so great that there was every chance of its being altogether lost to the country. While he regarded this state of things—when he saw that the poor rate had increased 16 per cent during the past year—when he was credibly informed that the number of agricultural labourers out of employ was every day becoming greater—looking at all these circumstances, he said that was not the proper time to bring forward the question of the repeal of the malt tax. But the time would arrive when import duties must be had recourse to, and when the imposition of duties which would be paid by the foreigner—[*Laughter*]—yes, paid by the foreigner, would enable them to look at what reductions they could make in the taxation of the country; and then, in his opinion, no remission of taxation would be so desirable as a repeal of the malt tax. Believing that the plan of his hon. Friend the Member for Buckinghamshire, if fully and properly carried out, would be a greater advantage to the agricultural interest than a repeal of the malt tax, under present circumstances he had only one duty to perform, which was to give his cordial assent to the proposition for going into Committee.

MR. BRIGHT: It seems, Sir, to me that a very great deal of misapprehension exists among hon. Gentlemen on the benches opposite with regard to the proposition of the hon. Member for Buckinghamshire. We were originally given to understand, if I mistake not, that the basis or groundwork of that proposition was the prevalence of great distress among all classes of the community connected with agriculture in this country. But the speech of the hon. Mover of the proposition described a case of a very different description, whilst the speech of the hon. Member for Somersetshire, who has just sat down, has apprised you that none of the distress resulting from the burdens on land complained of falls on that class whom the hon. Mover would induce you to relieve by adopting his proposition. The hon. Member for Buckinghamshire, in his speech on introducing this question, quoted something I am said to have stated on a former occasion, admitting the great distress prevailing among the agricultural classes. He misquoted what I then said; very unintentionally, I am quite sure, but very strangely. I never expressed myself to the effect—and, if I had done so, I should have betrayed great ignorance of that which must be within the cognisance or experience of almost every man—that, generally speaking, the distress of the times had been very severely felt by the agricultural community. I said that little had been said about the pressure of agricultural distress more northward than Cambridge or in Suffolk, and that in the south of England the cry of agricultural distress had scarcely been heard of. And I say further, that hardly anything has been ever asserted of late in the north as to the depression of agricultural prices. ["Oh, oh!" *from the Opposition benches.*] Well, Sir, I can only assure the House that I met but a few days ago with some gentlemen who had lately come up from some of the southern counties of Scotland, and they told me that they had been selling their wheat in the markets there at from 47*s.* to 48*s.* per quarter on an average. They had a fair crop last year of good quality, and they are satisfied with the prices they have received. They must be subject to the same vicissitudes, for example, as they are in every other trade. Farmers, no more than any other traders, can expect to be always lucky. Just prior to the harvest of last year, the rain fell exactly at the critical moment for the farmers of the south, and just before the critical moment for the farmers of the north. What has been the consequence? The farmers of the northern counties have harvested their produce in good condition, and obtain good prices; those of the south have been less fortunate, and realise less encouraging returns. This is simply the reason why we have great complaints from the one, and few or none from the other class of tenant farmers. If any of these parties, however, seek a ground upon which to found his appeal to Parliament for legislative relief, he must look for it in the speech of the hon. Member for Somersetshire, whose object it has been to advocate such an appeal in vain. Sir, I shall not enter into those questions connected with the general condition of the trade and finances, and of the agricultural classes of this country, which have been already, in my opinion, disposed of by the speech of the right hon. Baronet the Chancellor of the Exchequer. But the hon. Gentleman who has just sat down made one statement upon which I must be allowed to offer a word or two. That hon. Member told us that he had lately been selling some wheat. He told us that his wheat was only of inferior quality, yet that he realised, I think, 42*s.* per quarter for it. Now, I think if he could get such prices for an inferior wheat, wheat of ordinary average goodness must be fetching very fair prices just now. There are other Gentlemen, Sir, in this House who are themselves manufacturers of other articles. I should like to ask the hon. Member for Somersetshire what he thinks is the scale of prices they obtain when they carry into the market that which they admit to be a damaged or an inferior article? Why, they will obtain, of course, only the lowest scale of prices for such goods. They will not get after the rate of 42*s*., which the hon. Member who complains of unremunerating prices can obtain for his inferior article—a wheat of inferior quality. But as for better wheats, I met with a gentleman a few days since who told me that Dantzic wheat was worth now, in London, from 53*s*. to 54*s*. per quarter. He added, that other foreign wheats of fair quality were obtaining, on an average, about 48*s*. per quarter. Well, Sir, I tell the hon. Gentlemen opposite to me, that their home-grown wheat, of the same quality, will now fetch the same prices. I say, then, that the pretences on which this Motion has been brought forward have totally failed—that no ground has been laid for any change in the existing burdens upon the land, which can be justified, either by the present condition of the tenant farmer, or of the prices of agricultural produce in our markets. I do not intend to enter into any elaborate statements of figures in following the statements which have been made by the hon. Gentleman the Member for Buckinghamshire, in the speech with which he introduced his Motion; because, all that could be said in reference to them was said, last night, by the right hon. Gentleman the Chancellor of the Exchequer, in a speech certainly the very best which I have ever heard from these benches since the accession of that right hon. Gentleman and of his Colleagues to power. But the right hon. Gentleman did not, as it appeared to me, notice some points, or at least regard in all the lights under which they might have been viewed, some points in the case or plea on which the hon. Member for Buckinghamshire rested his case for our adoption of such a proposal as he has brought forward. The hon. Gentleman seems to adopt for his principle the notion that all classes of the community ought to bear, collectively, certain burdens which he assumes to be, at present, borne exclusively by the landed proprietary and real property of this country. Is this so? If such be really the proposition of the hon. Member for Buckinghamshire—and that it is, I must presume from the statement of the hon. Member for Somersetshire — how does the speech we have just heard support it? Why, the hon. Member for Buckinghamshire admits that he is opposed to, and would not vote for, a national rate of this kind. And I think he is very wise in coming to this conclusion. The arguments against a national rate are, in my mind, of insuperable force. I am firmly persuaded that the various expenses connected with it would run up these rates, of which the burden is already said to be oppressive, at least five-fold within five years. But I think the original objects and working of these local rates have been a good deal misunderstood. There was printed in 1843 a report of the Poor Law Commissioners on Local Taxation, from which I will read one remarkable passage that clearly defines the period at, and the circumstances under, which the practice of rating stock in trade for the relief of the poor was first resorted to in this country:—

> "The practice of rating stock in trade never prevailed in the greater part of England and Wales. It was, with comparatively few exceptions, confined to the old clothing district of the south and west of England. It gained ground just as the stock of the woolstaplers and clothiers increased, so as to make it an object with the farmers, and other ratepayers, who still constituted a majority in their parishes, to bring so considerable a property within the rate. They succeeded by degrees, and there followed upon their success a more improvident practice in giving relief than had ever prevailed before in England. It was in this district, and at this time, that relief by head-money had its origin, and produced its most conspicuous effects in deteriorating the habits, and depreciating the wages, cf the agricultural labourer. When the practice of rating stock in trade was fully established in this district, the staple trade rapidly declined there, and withdrew itself still more rapidly into the northern clothing districts, where no such burden was ever cast upon the trade."

Now, the hon. Gentleman appears to contend that these burdens should be imposed on all classes of the community, instead of one particular class, and that by such a redistribution a great good would be effected, so far as the landlord and tenant farmer was concerned. But, unless he could devise some means for getting at the same principle of rating all property equally, he would accomplish nothing towards effecting his own purpose. I happen to be connected with the local administration of a township in which a proportion of local rating actually expended on the relief of the poor does not exceed, perhaps, 7*d*. in the pound. There are townships and districts in its immediate neighbourhood in which the rate for the same purpose is not less than 7*s*. or 8*s*. in the pound. Now, it is quite clear that any manufacturer or capitalist largely engaged in trade, who has built a mill or a factory in such a district, would be anxious, under a general rate, to come within such a township, and thus so much enhance the charge for the relief of the poor, under any pressure of trade that should throw labour largely out of employment as to drive away particular trades, as well as capitalists, from the locality. All rates would, under such a state of things, be enormously increased, and you would thus, by supporting the proposition before the House, be accessory to the ruin of both the landed and the commercial interests of the kingdom. It has been said that the proposition of the hon. Gentleman the Member for Buckinghamshire is enveloped in a great deal of mystery and confusion. I have endeavoured to penetrate the veil by which it is surrounded; and I will endeavour to explain the conclusions at which I have arrived upon it. It appears, then, to me that it is a proposition having for its object to withdraw burdens to the amount of some 6,000,000*l.* per annum from certain shoulders on which they are now saddled, and to impose them upon others—to relieve, in short, those who now carry them, by transferring them to those who hitherto have not borne them. The hon. Gentleman's scheme of redistribution would, probably, reimpose 3,000,000*l.* on those from whom he would take the present aggregate of 6,000,000*l.*, and apportion the other 3,000,000*l.* to other classes of the community. Well; but the 3,000,000*l.* that he would so withdraw from those who at present pay 6,000,000*l.*, would by no means represent the real proportion in which hon. Gentlemen opposite desire to relieve the land from its present liabilities, or of the enhanced value which their scheme would practically confer upon the land generally. Assuming the whole aggregate of land in this kingdom capable of cultivation to represent an increase equal to what it has been stated at by Gentlemen opposite, a rise in the value of the fee-simple of an acre, consequent on the remission of three millions of taxation on that aggregate, would be equivalent to 2 per cent, or 60,000,000*l.* sterling. An increased value of 2*l.* per cent would represent 120,000,000*l.* as the increased value of the land, supposing it to be brought for sale into the market, or the Legislature sanctioning such a proposition as that which was now before it. He, for one, did not think that these were times in which the Legislature could be brought to listen to any such proposition. It was not likely, he trusted, to meet with much favour from that House. The hon. Member for Buckinghamshire, and his friends, seemed altogether to forget the ultimate effect of Parliament entertaining so exclusive a proposition as he had brought before it for the benefit of the land. If I am not mistaken, the whole cultivable lands of all England and Wales amount to more than twenty-five—perhaps, indeed, to thirty—millions of acres. Every acre you would thus relieve, I must repeat, would rise in value in the proportion of from 5*l.* to 10*l.* Well, I will be content to say 5*l.* only. This increase would represent an extension of capital invested in the lands held by tenant farmers and others of not less than 150,000,000*l.* sterling. Would not this, Sir, be to perpetrate a great injustice to all other descriptions of property for the sake of an exclusive benefit to the land? I ask hon. Gentlemen opposite whether or not they themselves consider that this would be right or proper? I do think that the proposition now before the House is, however, not less extraordinary than it is unjust. It has for its ostensible object to relieve the present pressure of that which I believe to be the temporary distress of the landed interest. But then the hon. Member for Buckinghamshire is so very discriminating in his views of that question, that the case of the agriculturists of Scotland did not elicit even a single word in his speech. And as for the agriculturists, or any other classes of the unhappy community of the sister island, he turned to the Irish the cold shoulder, and all his sympathy for them extended to that which is proverbially said to be the alms of those who have no money in their pockets wherewith to afford more substantial relief. He gave them—advice. Sir, the hon. Gentleman said that many schemes had been brought forward for the amelioration of the condition of Ireland, but that nothing effectual had been done for her for some Sessions past. And here his admission left her. I don't think that Ireland will derive any great benefit from the advocacy of the hon. Gentleman. She will have little to thank him for, if he is prepared to tender her no other consolation for her sufferings but—his advice. It has been contended that the proposition of the hon. Member would, if carried into effect, remove a great cause of dissatisfaction among the tenant farmers. Sir, I am convinced it would create very great discontent among the people. [*Laughter.*] I repeat this is my conviction —notwithstanding the very great laugh which it has occasioned. The hon. Member who spoke last has quoted largely from a paper well known to most of those who hear me—a print of great authority in all agricultural society, and of great respectability—I mean the *Mark Lane Express.* The article from which the hon. Gentleman read, indulges in stronger language, perhaps, than I should desire to employ: it stigmatises certain official documents, the authenticity of which it challenges, as the most deceiving statements ever concocted by the duplicity of man. It also expresses great dissatisfaction at the proposition of the hon. Member for Buckinghamshire. I really think that the proposition of the hon. Member for Buckinghamshire is founded on fallacies calculated to beguile the House into its adoption, which are amenable to a censure scarcely less severe. That proposition, indeed, reminds me of a story which many hon. Gentlemen have perhaps heard before, yet which I will venture to tell the House in very few words: It happened once, that in a country town, and an agricultural district, a company of strolling players, who happened to be in that quarter, once proposed to get up a performance "for the benefit of the poor" of the neighbourhood. It was calculated by those who announced this intention that the object of contributing towards the relief of the poor would certainly induce the gentry to come forward generously in supporting the performance; and the event proved the soundness of this anticipation. But when it came to a question as to how the proceeds were to be appropriated, the strolling company claimed them all for themselves, on the principle that they themselves were "the poor" intended. This is just the case with the proposal of the hon. Member, if you look at its real tendencies. He would procure this boon for the tenant farmers—of relief from local rates; but he does not go—nor any of his hon. Friends near him—for the repeal of the malt tax. "We," he says, "do not ask for that at present. It is not the time to ask this relief for you; but we don't go for a revision of the whole scheme of existing taxation. As to the malt tax, I am not altogether prepared to embrace all the views entertained by some of my hon. friends on that subject. I am not one of those who think that the people at large will be much the happier for being relieved from the malt tax. As little do I think you will make the people generally more satisfied by taxing malt; or that you will ever succeed in attempting to effect the discouragement of drunkenness, or any other vice, simply by rendering its indulgence dear. But I do think that if by repealing the duty on malt, you leave more money in the poor man's pocket for the purchase of other articles of more profit, or value, or convenience, to him than that into the cost of which this tax enters, you do well; and notwithstanding what an hon. Baronet has said in the course of this debate, I do believe, notwithstanding what has fallen from the hon. Member for Lincolnshire, that the malt tax is one injurious to agriculture, and oppressive upon the working labourer and consumer. I own that I am astonished at the conduct of hon. Gentlemen opposite on this question, after hearing them both in this House and at public meetings out of doors advocate the repeal of the malt tax. The same parties who on this side of the House were its most strenuous advocates, have ceased to mention it now that they have crossed to the benches opposite.

> "Their lips are now forbid to speak
> That once familiar word."

Not one voice now calls for that favourite demand, but we are told to wait till the proper time shall arrive. The hon. Member for Buckinghamshire holds this language, but he has not indicated when the time will come. I wish the hon. Gentleman would look a little into the real state of the country: if he would consult the feelings of the people, he would find that nothing more displeases them than to have their representatives holding one language here, and another before their constituents. Why, Sir, hon. Gentlemen know, that at meetings in the country, even tithes are permitted in their presence to be spoken of in the most violent and intemperate language. They encouraged, by their own conduct, the people to expect those remissions of burdens which must diminish the public revenues, and left it to Parliament to provide the substitute as best it might. I am astonished at the conduct of hon. Gentlemen. If I were myself an owner of land I should say this to my tenant farmers, "Men, you have got the land, and it must be your object to work it to the best of your ability with the capital you have. Parliament, like the landlord, must deal with those on whose behalf this proposition is said to be made, on the same principles on which it would deal with trades of all other descriptions. You must exert the same virtues of perseverance, industry, and frugality, which others possess, and in which you are not wanting; you must look to the exercise of these means for your profit and success; not to external aid or exclusive assistance, which can only be rendered at the cost of gross injustice to others. But the speech of the hon. Member for Buckinghamshire was so purely agricultural, that he did not enter into any such considerations. He recognised no such principle of dealing with the interests of all classes, instead of addressing ourselves to the benefit of one only. He himself quoted from the *Standard*, a newspaper of high authority with his party, and so exclusively agricultural in its predilections, that in one of its leaders a few years ago it contended that if the whole of the manufactures of England were destroyed to-morrow, England would not be a less great country by one iota, or the English a less happy people. But the *Standard* now took up different ground. It announced in a recent number that unions were now formed in most of the southern counties of England, the object of which was carefully to exclude all the products of the mills of the north, so that the cloths of Cheshire and of Yorkshire would not be allowed to come into competition with the production of Wiltshire. If this is to be the spirit in which hon. Gentlemen are disposed to make common cause against the manufacturing interest, I wonder they do not carry out their principle to its full extent, and, as their ancestors once wandered over the country clothed in skins, and with their bodies painted, that they do not come down here clothed in that way. They ought at least to clothe themselves in thatch, by which means I trust the farmers will at least obtain a remunerating price for their straw. I am not at all disposed to dispute the meritorious and industrious character of the tenant farmers; on the contrary, I believe them well entitled to the praise of possessing those qualities in a high degree. But I protest against a proposition on their behalf which would certainly prejudice the interests of all other classes, for the doubtful benefit of their own. I am opposed to all these partial experiments. I would willingly support any proposition which went to the reduction of those taxes on raw material that stand in the way of manufacturing labour, and close the market on the industry of our artisans. This proposition was recommended to our sympathy on behalf of farmers who had small or no capital; but what would be said of any similar proposition by which it should be proposed to mulct the manufacturers of the north for the benefit of manufacturers without capital in the south? You ought to endeavour to secure to your farms men who have capital and great spirit in agriculture. But you do not do this. If a farmer comes to you, and asks for a farm, wishing to make stipulations—which may be called stipulations of a commercial character—such as that he shall plough and grow as he likes, that he shall have every creature that lives upon the land, and that he must not have it infested with game; if such a man comes to you, you don't like him as a tenant: but it is the consequence of free trade that you must introduce such principles in your future arrangements between landlord and tenant. It is impossible that this great country, with its great and increasing interests, and its dense population, should stand still, or rest under the baneful influence of protection to agriculture, simply because you are unwilling to adopt those principles with relation to your tenants which are adopted in every other branch of industry throughout this country. Now our proposition is admitted on all hands, I believe, to be more distinct and intelligible than that of the hon. Member for Buckinghamshire. He has come forward as a Chancellor of the Exchequer — as the framer of a budget—but it is clear that he is only a novice in this new work, because he has not shown where he is going to obtain the money which he is wishing to remit in the shape of taxation. I suppose, judging from what slight hints fell from the hon. Gentleman, that he means to increase the income tax; or the hon. Baronet the Member for Lincolnshire (Sir M. Cholmeley) says that a fixed duty upon corn will serve the purpose as well. But let hon. Gentlemen beware how they turn ther attention to the question of the reimposition of the duties upon corn. If you do so, you are attempting that which I believe, is as impossible as the repeal of any Act which has passed this House in former times. You might effect the repeal of the Reform Bill or the Catholic Emancipation Act probably in the same Session as that in which you reimpose the duty upon corn. Take care what you are about. Hon. Gentlemen fancy that there is a lull in the public mind; that events abroad have frightened people at home. Bear in mind that in all the European capitals a system is being established which will have a strange effect upon the minds of people in this country, who are looking, and wisely looking, to great and permanent changes in the constitution of Parliament; and that whilst your conduct is encouraging such ideas, you are leading the farmers of England in the pursuit of that false and uncertain light which must land them hereafter in the midst of difficulties much greater than those which encompass them at present. You talk of the experiment of free trade as though it had failed, or was but an experiment. I ask, have you not legislated, since the oldest amongst you first came here, in favour of protection and with the view of keeping up the price of corn; and do you not recollect that under protective laws in 1836 the whole average price of the year for good wheat—not sprouted wheat—was but 39*s.* 4*d.* per quarter; whilst, now, as we are told, sprouted wheat is sold at 42*s.* a quarter. Because that system was abolished, you have wreaked your vengeance upon a Minister. You have scattered a powerful party—you have shown an anger which political parties in this country have scarcely ever exhibited, because through the power, and I will say the patriotism, of the Minister whom you discarded, the industry of this great and growing population has escaped from the pressure of that screw which, through the medium of the corn laws, you had laid upon the necessaries of life. I fear that hon. Gentlemen opposite are not aware of what is passing in this country. Throughout the great towns, that question of the reduction of expenditure which we have placed before you, is exciting the intensest interest; whilst in every meeting of farmers the same cry is echoed. The men who thought us their greatest enemies, are now ready to shake hands with my hon. Friend the Member for the West Riding. They are anxious that that great justice should be done to this country which we advocate, and that you should force upon the Executive Government the greatest possible economy, compatible with the public exigencies. You say, tauntingly, that the Government is about to follow the advice of my hon. Friend. The fact is, that you will make my hon. Friend a most extraordinary man. The right hon Gentleman the Member for Tamworth followed the advice of my hon. Friend; and now you say the present Government are about to do also. And why is this? It is because we live amongst the people—because we have travelled in every county amongst them, and know their feelings and wishes—because we are identified with their desires, and have been returned to this House by great and free constituencies. It is on this account you find that the measures which my hon. Friend proposes have the sympathy of millions in this country; and I warn you that not many Sessions will pass, before you, powerful as you are, will vote for the measure which he recommends.

MR. NEWDEGATE then rose and addressed the House. What, he asked, was the cause of the anger of the hon. Member for Manchester? In the first place, the hon. Member seemed to fear that a hope was abroad that the corn law might again be imposed. This excited his ire; but what had principally and chiefly roused him was the mere idea that the people in the south of England should reject the manufactures of the north of England, and amongst them cotton goods made of the twist he spins. He (Mr. Newdegate) had not risen to reply to the angry tone of the hon. Member's speech; nor need he comment upon the evident weakness of a cause which had to be defended by such a base weapon as mere vituperation. The proposition of his hon. Friend the Member for Buckinghamshire was, in his (Mr. Newdegate's) opinion, founded in justice; and it was so comprehensive in the relief it would afford, as to be indisputable in its claims upon the House; so its opponents seemed to feel, since all argument against it had failed, and nothing but vituperation would serve the turn of such opponents as the hon. Member for Manchester. He would now proceed to advert to one or two points which had been touched upon by the Chancellor of the Exchequer and the right hon. Member for Manchester (Mr. Gibson), both of whom had distinctly stated that the pressure of local taxation was not heavier upon the land than upon the other interests of the country. Now,, he thought it was in his power to show the House that this was not the case. The report of the Poor Law Commissioners contained an account of the pressure of the poor-rates, upon the value in the pound of rental, and per head of the population, in the year 1847, in twenty-four large towns, and in nineteen agricultural unions; and it showed the following result—that in the twenty-four large towns, quoted by the Poor Law Commissioners, the rate in the pound was $3\frac{3}{4}d.$ less, and per head $6\frac{1}{2}d.$ less, than in the nineteen agricultural unions. But this did not express the real difference. He had collected several agricultural counties, and compared them with other counties in which manufactures prevailed, and he found that in the eleven agricultural counties of Bedford, Berks, Buckingham, Dorset, Essex, Norfolk, Oxford, Southampton, Suffolk, Sussex, and Wilts, the average of the rates was 2*s.* 2*d.* in the pound, and the average rate per head of the population, 8*s.* 6*d.*; whilst in the counties of Chester, Derby, Lancaster, Leicester, Middlesex, Nottingham, Stafford, Warwick, and York (West Riding), in which manufactures prevailed, the average rate in the pound was 1*s.* 4*d.*, and per head of the population 4*s.* 7*d.* So that the average rate in the pound on the valuation of these nine manufacturing counties was 1*s.* 4*d.* against 2*s.* 2*d.* in the eleven agricultural counties; making a difference of 63 per cent; whilst the rate per head on the population of the manufacturing counties was 4*s.* 7*d.* against 8*s.* 6*d.* in the eleven agricultural counties; making a difference of 81 per cent in favour of the manufacturing counties. The hon. Member for Manchester had stated that there was no occasion for granting relief to the agricultural interest; if so, then he (Mr. Newdegate) did not exactly understand why this should be the period selected by him and the hon. Member for the West Riding for urging the repeal of the malt tax as a measure of relief. The Chancellor of the Exchequer, indeed, was as confident that no danger threatened the agriculturists from foreign competition, as he was, in repealing the sugar duties, that no serious injury therefrom could accrue to the West Indians; he was now as confident as he was in 1847, before the commercial and monetary crisis, that no danger threatened the commercial interests. Let not the agriculturists trust to the false confidence of the right hon. Chancellor. The Poor Law Commissioners had presented a table showing the average price of wheat for fourteen years, and the sums levied for the relief of the poor; and from this it appeared that, in the years when the average price of wheat was high, the relief required for the poor was smaller than when the average price of wheat was low. The average price for seven of those years when the price was high was stated at 63*s.* 8*d.* per quarter; and for the other seven years, 49*s.* 2*d.* per quarter; and the sum required for the relief of the poor in the years when the price was low, was 4 per cent greater than the sum required when the price was high. From a comparative view of the table, it appeared that 56*s.* 5*d.* per quarter was the mean price, and the price at which the lowest sum was required for the relief of the poor; and this was exactly the sum named by Sir Robert Peel, in 1842, as the price that it was desirable, if possible, to maintain. He could only infer from this, that as the price of wheat and agricultural produce fell to less than 40*s.* per quarter, or 20 per cent below the average price of the seven years of low price quoted by the Poor Law Commissioners, so would the necessity for an increased expenditure for the relief of the poor increase; and for this reason he thought the proposition of the hon. Member for Buckinghamshire was eminently well-timed; for it was evident that there was not only a heavy burden cast upon the ratepayers of the country, particularly the agricultural districts, but that it was likely to increase as the prices for agricultural produce fell under the operation of free trade. The right hon. the Chancellor of the Exchequer had stated, that since 1815 9,000,000*l.* of taxation had been remitted to the agricultural classes; and he enumerated the taxes upon beer, cider, hides, starch, tiles, vinegar, malt, and spirits, which amounted to 6,835,000*l.*; and which—together with the taxes remitted upon servants, horses, carriages, and shepherds' dogs, employed in agriculture; those on the insurance of stock; and the expenses of prosecution and maintenance of prisoners, poor-law auditors, and medical relief, which had been transferred from the rates to the Consolidated Fund—amounted to 8,500,000*l.* in round numbers; but the right hon. Baronet included in his 9,000,000*l.* 486,924*l.* for the Irish constabulary. Neither the proposal of the hon. Member for Buckinghamshire nor the discussion had anything to do with Ireland. He (Mr. Newdegate) considered this 486,924*l.* for the Irish police, therefore, beside the question; so that the actual relief to the agriculturists of England and Wales, as stated by the Chancellor of the Exchequer, remained 8,500,000*l.* in round numbers. But the right hon. Gentleman never told them that the taxation remitted between 1815 and 1847 in favour of the other interests amounted to no less than 23,000,000*l.* So that whilst there had been remitted to the agricultural classes 8,500,000*l.* of taxation, upwards of 23,000,000*l.* had been remitted to the other classes of the country; that was to say, for every 100*l.* of taxation remitted to the agriculturists, 270*l.* had been remitted to the other classes. This was the result of the grasping system of exaction and monopoly in favour of the agricultural interest, under what they termed landlord legislation, which the hon. Members for the West Riding and Manchester, with their coadjutors of the Anti-Corn-Law League, had spent seven years in denouncing; such was the chimera with which they had duped the people of England.

MR. SIDNEY HERBERT, seeing a great number of Gentlemen anxious to address the House, would undertake to reduce the argument which he wished to submit, in illustration of his views, to as short a compass as possible; but he was anxious to take some part in this discussion, because he came to the consideration of the Motion of the hon. Member for Buckinghamshire with all the bias, if he might say so, of a person connected by birth and representation with the landed interests. He had listened with great attention and admiration, in common, he should think, with every person in the House, whether opposed to him or not, to the very able and acute speech which had been delivered by the right hon. the Chancellor of the Exchequer, though he had not been able to agree with every portion of it. He thought the right hon. Gentleman, residing, as he did, and connected by tenure of land, with a district of the country which happened to be particularly exempt from the suffering that oppressed the agricultural classes of England, had, in some degree, underrated and undervalued the amount of that distress. They were all, perhaps, too apt to judge by what fell under their immediate observation, and to argue from that to a wider field. Coming, therefore, from a part of the country peculiarly affected by this distress, he was inclined, perhaps, to attach more importance, not to the intensity but the extent of that distress, than he ought to do; for, though the distress was local, yet the locality was not so small as was supposed, and in that locality the distress was very considerable. But, if he differed from the right hon. Gentleman as to the extent of the distress, he was afraid he differed more from hon. Gentlemen who sat near him as to the causes and nature of it. He did not regret it on the simple fact that wheat was at 45*s.*; nothing could be more fallacious than to argue as to the prevalence of distress, at any particular time, from simple reference to the price of wheat. During the whole of the last century, up to 1794, wheat, on the average, was under 41*s.*, and except in the first ten years, when it was at 71*s.*, it was considerably under 40*s.* In our own time, within the last few years, we had had wheat selling at 45*s.*, 46*s.*, and 47*s.*, without a whisper of discontent on the part of the agricultural interest. The question, then, was, what were the circumstances which made the distress at present so hardly felt. He believed it arose entirely from the peculiarity of the seasons in recent years, and the character of last harvest. In the first place, it was notorious that in the south of England the harvest was an exceedingly wet one; he recollected no season so unfavourable to farming; and the result had been that a great amount of corn produced by the home grower was of a quality so inferior as to be unexampled in the southern counties. Where the farmers had got wheat to sell, and obtained this low price of 45*s.*, there was no mention of distress; whereas with those near him, the complaint was, not that the price was 45*s.*, but that they had not got wheat to sell for 45*s.* The importations of last year were not materially larger than those of 1839 and 1841, when we required 2,600,000 quarters; and so far from having had a tendency to decrease the averages, he believed it had done quite as much to keep them up. He maintained that the state of the averages was not the proper cause of the distress, but wheat was brought to the market in a state which did not fetch the best market price, and much of it in a state which was not fit for human use. If the importation of last year had not exceeded, as he did not think it had, the quantity which had been introduced in many other years, it should also be remembered that that importation had received an artificial stimulus from the political causes which had been at work in other countries, where the harvest also had been more favourable than in this. In France there existed, about the time of harvest last year, so great a panic amongst the holders of wheat that they were most anxious to sell when everybody offered to buy. When the market was at a standstill, owing to the political convulsions, they exported their stocks to this country to such an extent, that, now that tranquillity was re-established, and the markets rising, they were obliged to import as freely as they had exported. At the same time, there had been a very diminished consumption in this country, as would be seen if they compared the amount of quarters sold last year at towns where the averages were taken, with that sold in former years, though it was true that more wheat than formerly was now sent to the miller without being taken to market. Again, there was the same diminished consumption and a falling price in meat, not certainly produced by increased importations, since it would be found that the importation of cattle had fallen in 1848 as compared with 1847. The distress, he admitted, was not only extensive in many districts, but likewise most severe; but he took comfort from this reflection, that, if he was right as to the causes he had alleged being the true causes of the distress, it was in the nature of things that those causes must in no long time terminate, and a return of prosperity ensue. He had had too much experience in political affairs to be fond of venturing on prophecies, but he did not think there was any reason for despondency. The question then presented itself, how far would this distress probably be removed by the adoption of the plan before them? He had some difficulty in discussing that point; for however brilliantly that plan had been introduced and explained, one part of it, and not the least important, was so veiled in mystery, that he, for one, was not able to see what they were to look for as a makeweight in return for surrendering the very great advantages derived from the present system of managing 6,000,000*l.* of local taxation. So far as the county rate was concerned, he admitted that the counties had a considerable grievance against that House with respect to their expenditure, for nothing could be more unsound than that expenses should be ordered and authorised by one party who had not themselves the management or control of their distribution. In that House some subject, as that of lunatic asylums, was taken up by a benevolent or philanthropic Member; the Chancellor of the Exchequer naturally deprecated projects for the amelioration of society which trenched on the public treasury; but the moment it was stated that the expense was to be borne, not by the public treasury, but by the counties, no scruple was shown about saddling them with a very great expense for an object they did not perhaps contemplate. In another respect, also, the plan was very defective. He could not conceive that half the poor-rates should be paid out of the Exchequer without introducing into the local management a degree of liberality never hitherto shown. He did not conceive it fair that the shipowner, the merchant, or manufacturer, contributing to the local taxation in the proportion of half the amount, should see it expended by parties over whose proceedings he had no sort of control. If it should tend towards a system of centralisation, he should greatly regret to narrow that wide field for instruction in the transaction of public affairs which had brought such advantages to political ability in this country. Another question, vital to the merits of the plan as a plan of relief, was, how were the funds to be raised which would be requisite to supply the amount of rates taken off? The hon. Member for North Lincolnshire (Sir M. Cholmeley) said, by a moderate fixed duty on corn; but he must contemplate the import of a number of quarters which exceeded the most sanguine estimate known, or his notions of moderation must be rather extraordinary. He thought it strange that no mention should be made of the manner in which the proposed fund was to be raised, and that the most important part of the plan should be thus left unexplained. It might be said, that the hon. Gentleman the Member for Buckinghamshire had promised relief to the extent of 5,000,000*l.*, and would explain how he would raise it if the House consented to go into Committee; but he thought, the more natural method would have been first to mention the mode of taxation, and keep the sweeter portion to the last. That the income tax was the source looked to was implied in the words of the hon. Gentleman, who was far too great a master of his art to convey more than he meant. Either the additional tax would be raised upon all the schedules, as at present, and then it would afford no real relief to the agriculturists, since they would have to pay as much under a different denomination; or, if it were to be raised on two schedules only, he was convinced that the agricultural interest generally were far too honest to agree to it. He did not think they would consent, under the influence of any pressure, to anything resembling a breach of faith.

For these reasons he was unable to give his support to the hon. Gentleman's plan; and, at the same time, he could not consent to raise hopes which could never be realised, by voting for going into Committee.

MR. CAYLEY was able to give a direct contradiction to the statement that there were no complaints of distress from the north of England; for no later than the preceding day he had received a letter stating that a large meeting was about to be held in an important agricultural district with which both the North and the East Riding of Yorkshire were connected on the subject of the low price of corn. But even if that were not so—had the north no reason for alarm when they knew that a great part of England had sustained a great loss of property from which they had escaped only through being blessed with a better crop—when they knew that the price of corn was not higher than 45*s.* per quarter, notwithstanding the great deficiency in the southern harvest? Under the fall of prices in 1822, and in 1834 and 1835, and the consequent distress, hope, at least, was left at the bottom of the box—it was expected that with the revival of trade there would be a rise in the price of agricultural produce. But no such hope existed at the present time; for, notwithstanding the deficiency in the crop, there had been no compensating rise in price, and the prospects of trade were anything but promising. In the former years he had referred to—1822 and 1835—the fall in price took place under a great abundance of corn, whereas now it occurred concurrently with a deficiency of supply. Was there under these circumstances no reasonable ground of alarm. It had been stated that there was a great desire on the part of the manufacturing population to join in an attempt to reduce the Government expenditure: he (Mr. Cayley) could bear testimony to a similar desire on the part of the agricultural body, because they found the present rate of taxation intolerable under the existing price of their produce. There was reason in the agriculturists making those complaints; but his surprise was, that the manufacturers made complaints of that nature. The manufacturing body, according to the predictions of their leaders, should now, under free trade, be in a state of prosperity. They might be assured, however, that neither the mercantile nor agricultural bodies ever made those complaints unless the shoe pinched. Was it the shoe of free trade that pinched? It was the distress in the manufacturing districts in 1837 that led to the agitation for the repeal of the corn laws. Let them depend upon it, it was some feeling of distress in the manufacturing body which led to the agitation at the present time for financial reform. It had been well said by an American writer, very knowing in the motives and interests of mankind, that when a State is eminently flourishing, its subjects overlook general defects in private prosperity; but there is no more fastidious commentator on public affairs than your merchant of a failing trade." He strongly believed that a failing trade was at the bottom of the present agitation. The hon. Member for Manchester had spoken of free trade as if it were not an experiment. But what measure had ever been proposed or carried in that House that could not be said to be an experiment? Who had ever found human reason unerring except in mathematics? Where had ever the Euclid been found to solve the problem of real life, unless it were the hon. Member for Manchester? He was not sure that he would not go farther—for he was an older campaigner in these battles, in the matter of reduction of taxation—than many of his hon. Friends before him. He had always found on those occasions that the Ministers of the Crown universally forgot and were indifferent to any language uttered to them unless it came through the channel of the Exchequer; and for his own part he had felt disposed, had not the discussion upon it come to a premature termination, to vote for the proposition which the hon. Member for the West Riding had submitted to the House. He (Mr. Cayley) could have wished for his own part that the experiment of free trade might have been permitted to go on a little longer unchecked. He wanted to see how the physic worked—especially how it worked those who had been so anxious to administer it to the rest of the country. But there were others not so capable of bearing the experiment—perhaps, too, himself—whose capital was melting away. Still he could not but say that free trade had held out many promises which it had realised. It had promised a reduction in the price of corn—it had realised that promise to a very considerable but not to its ultimate extent; it had promised a falling revenue—it had realised that; it had promised a diminution of exports—it had realised that; it had promised a decline in the revenue, and a reduction of the profits of trade—and these promises had been fulfilled; it had promised a diminution of employment—it had realised that; it had promised a decline of wages—it had realised that; it had promised increased imports—it had realised that; it had promised an increase of poor-rates — it had been realised to the extent of near a million sterling in the last year; it had promised increased distress in Ireland—it had realised that; it had promised increase of dissatisfaction and discontent in the colonies—it realised both of these, while there had been no potato-rot and revolutions in the colonies to explain away the real cause of the distress there. Free trade had also promised a great many other things, which it had equally realised to the prejudice of the best interests of the country; and now they were told that free trade was, right or wrong, to be persevered in. If it must be persevered in, despite the fatal experience of its results, he thought that some such steps must be taken as those which were proposed by the hon. Member for Buckinghamshire; and there must be not only a great reduction of taxation, but an entire redistribution of it. Although his hon. Friend the Member for Buckinghamshire was well able to answer the speech which his right hon. Friend the Chancellor of the Exchequer had delivered on the previous day, there were one or two points in it to which he (Mr. Cayley) would very shortly advert. His right hon. Friend had asserted that any reduction of the poor-rate would be no relief to the farmers, because in estimating rent the amount of poor-rate was always taken into account. The Chancellor of the Exchequer had shown how greatly the poor-rates had been reduced under the Poor Law Amendment Act in Bedfordshire and various other counties in England. He (Mr. Cayley) wanted to know whether his right hon. Friend had got a return of the increase of rents in those counties in which the poor-rates had been reduced; because, to make good his argument, he ought to have proved that an increase of rent accompanied a reduction of poor-rate. But he defied his right hon. Friend to show that an increase of rent had followed a diminution of poor-rate. The practical truth was, that although on letting a farm the amount of poor-rate was an element in the question, yet from there being in the yearly tenancies perhaps not more than one adjustment of rent in a lifetime, the tenant got all the benefit of a reduction of burdens often for a long course of years. His right hon. Friend the Chancellor of the Exchequer had made a statement which he (Mr. Cayley) had often heard, but had never seen proved, that on the Continent the taxes upon land were higher than in England. The information which had reached him on that subject was entirely different. He found from a calculation that had been made by an accomplished writer, founded upon information derived from practical sources in this and other countries, that the taxation on cultivating 15,000,000 of acres in the north of Germany was 5,009,550*l.* while the taxation on the same quantity in England was 23,050,000*l.*, being a difference of 18,000,000*l.*: that the expense of cultivating the same acres was in Germany 45,827,175*l.*, and in England 85,091,650*l.*, being a balance of 39,264,475*l.* against England, or 45 per cent: and that the cost of growing a quarter of wheat in Germany was 27*s.* 10*d.*, and in England, 50*s.*; of barley, in Germany, 16*s.* 2*d.*, and in England, 30*s.*; of oats in Germany, 10*s.* 10*d.*, and in England, 20*s.* He found, also, that upon 1,000*l.* worth of American wheat, there was 17*l.* of taxation, or 1½ per cent; while upon the same amount of English wheat there was a taxation of 284*l.*, or 27 per cent, which with the superinduced taxation brought the taxation on English wheat to 45 per cent. It had been stated that the taxation in this country did not necessarily fall upon the farmer, and that if rent was reduced in proportion to the fall in the price of corn, the farmer would not suffer. He (Mr. Cayley) denied that rent could be reduced to compensate on many soils for the fall which might be expected under free trade in corn. But if it could, why was the landlord to be sacrificed on the altar of a crude and hasty experiment, which promised no advantage to any class except that of the fixed annuitants; or why was the landowner's property not to receive an equal measure of justice and protection with that of the rest of the community? According to his understanding of the plan proposed by the hon. Member for Buckinghamshire it was not merely to transfer a portion of the local taxation raised for national purposes from the landed interest to other classes not now paying it, who by law were bound to do so, but to go into the question of the pressure of excise duties upon agricultural produce. At least, he (Mr. Cayley) should not be content to go into Committee without including the question of the pressure from that source, and from other sources also. [The hon. Member then proceeded to show that the great weight of the excise and stamp duties, and the assessed taxes, fell upon the owners and cultivators of the soil, and that of these taxes 17,119,931*l.* were levied on agricultural produce and real property — viz., excise, 12,171,804*l.*, stamps, 2,302,878*l.*, and assessed taxes, 2,645,249*l.*] To that, he thought, he might fairly add 3,000,000*l.* on account of the agriculturist being prevented from growing tobacco and sugar. The total of this taxation levied on agricultural produce and real property was 20,119,931*l.* If to this were added the local taxation, the land tax, and the tithe, which also had to be paid before the farmer could come into competition with the foreigner, the entire taxation falling upon real property or its produce, from which other classes and interests were exempt, amounted to near 40,000,000*l.* per annum. Among the articles of agricultural produce thus taxed, he might mention spirits, malt, hops, soap (made principally of agricultural produce), bricks, the heavy stamp duties on mortgages, the transfer of real property, stage coaches, which curtailed the demand for horses, posthorses, land tax, windows, houses, carriages, horsedealers, game duties, &c., &c. All these taxes pressed to an extent almost incalculable upon agriculture by limiting the demand for its produce, and were utterly inconsistent with justice, now that that produce had to enter into unrestricted competition with that of comparatively untaxed foreign countries. If free trade was to be tried, it should be tried fairly. They might be told that all the taxes he had mentioned fell upon the consumer. Well, if they did, and the fact were so, the manufacturers, if they agreed in this sentiment, could surely have no objection to have them placed on their produce. They were welcome to the privilege. There had, however, been a tax upon raw cotton; but the manufacturers were anxious enough to get rid of it on the ground that it diminished its consumption. There had been a tax upon printed calicoes; but the manufacturers were very glad to get rid of that also, because it diminished the consumption of those articles. The tendency of all taxes on produce was to diminish its consumption; and on that ground, if we were to have free trade, the agriculturists were entitled to as large an exemption from taxation as the manufacturing class. With reference to the general taxation, including the customs duties, varying from 20 to 600 per cent on tea, sugar, coffee, tobacco, wines, &c., the agricultural body bore its share of these duties, along with all other consumers of them. This was in addition to its local and other burdens mentioned before. How, then, could they be expected to compete with the foreign producer, who had no such taxes to pay? It was an impossibility; and in his belief it would be found in the long run utter ruin for even the manufacturer, much more the more heavily-taxed farmer, to attempt it. If, therefore, there was to be free trade, let it be entirely free, and let there be a fair stand-up fight. The present system was not free trade, but a fettered trade; nor was it fair play to the industrious classes of this country. There had been some indication of retractation on the part of the Government in the course taken by them on the subject of the navigation laws; but he was not in favour of partial retractation. He would prefer, since we had abandoned practice for theory, that the theory of free trade should be fully and fairly carried out; otherwise it would at some future day be called but a partial experiment. In order, however, that it should have a chance of success, some very large if not entire revision of taxation must take place; for the present system necessarily enhanced the wages of labour in this country very materially above the wages in other countries. He was the last man in the House that would intentionally diminish the comforts of the working man; but if with nominally lower wages he could give him as large or a larger supply of the necessaries and conveniences of life—and he could increase the chances of the success of free trade—he certainly ought to meet at least with the support of free-traders. He assumed that customs duties were not, for the present at least, to be resorted to; and to raise our whole revenue from an income tax would be found intolerable. In these days of budgets, it might be rash and unwise of him to propose one; but if there was to be anything like successful competition with the foreign producer, an endeavour should be made to relieve the producing class in this country of all the restrictions that impeded and enhanced the price of the several processes of native industry. The excise duty interfered with the productive processes of industry. The duties on tea, sugar, coffee, and beer, had to be paid in the first instance out of the wages of labour, and so necessarily raised their rate. He had certainly not had much experience in finance, but a plan had suggested itself to him which he ventured with deference to throw out for the consideration of the House. It might appear somewhat comprehensive, when he stated that it was to abolish every tax levied by the customs, stamps, excise, or assessed taxes; and yet without increasing the income tax, which he did not feel inclined to do, unless it were to carry it down to incomes as low as 50*l.* a year. He would also retain the revenue from Crown lands, the penny postage, and land tax—the latter as a set-off against any apparent inequality in the income tax on precarious incomes. He would also throw half or three-fourths of the local taxation levied for national objects on the general taxation. How then make up a deficiency, after every reduction in expenditure?—and for every practicable reduction he should vote. He proposed a system of inland revenue which should levy on every article of produce, agricultural, manufacturing, or commercial, at a point nearest practicable to the consumer —that was, when the article was at its greatest value—of say, for the sake of argument, 10 per cent. The income of the country was estimated in an able pamphlet by Mr. Smee, connected, he believed, with the Bank of England, and founded on official documents, at 485,000,000*l.*, reckoning incomes above 150*l.* per annum, between 150*l.* and 50*l.* and below 50*l.*, which would include the wages of labour. This, if all collected, which doubtless would be difficult, would give 48,000,000*l.* a year; but say 40,000,000*l.* What with a persevering reduction of expenditure, where possible, and the remaining taxes he had mentioned, a sufficient taxation could, he believed, be levied for national purposes. It might be new and difficult; but where there was a will there was generally a way. The effect of this plan would be to enable the English producer to grow corn much nearer on a par with the Continental grower. The tax would be levied on produce from wherever it came, if consumed in England, whether the corn came from Norfolk or from America. To the extent of 10 per cent it would, therefore, be a direct protection to all the productive classes, to the farmer among others, against untaxed foreign competition of 10 per cent, while it would lower agricultural taxation at least 20 per cent, being a direct relief to British agriculture of 30 per cent; at least this was his rough estimate; while it would diminish the cost of production to the exporting manufacturer of full 20 per cent, for the 10 per cent tax would not fall on him. It would tax when nearest consumption all foreign produce, manufacturing as well as agricultural, and thus levy at least the same taxation on the foreigner as on ourselves, which taxation he entirely escaped at present. The relief to the general production of the country would, as it appeared to him, be very great as against the foreigner, whilst upon every class of producers it would cast exactly the same amount of taxation; so that there could hereafter be no complaints of inequality of taxation. He had heard since the plan occurred to him, that a tax of a somewhat similar kind had partially existed in Holland for the last hundred years, and it had formerly been introduced partially in this country in the form of taxes on printed calicoes, cotton, twist, and hats. If this system was adopted, it would afford, in his opinion, relief to agriculture, and to the productive classes of the country in general; and free trade, with an improved currency, might then succeed. If some such system was not adopted, and what was called free trade was to be continued, the grossest injustice would be done to the agricultural body. That body had been described as oppressed by the landlords; a falser accusation had never been made as applied to the general conduct of the landlords of this country towards their tenants. But the House would soon learn, if it persevered in an unjust and oppressive course towards the farmers of England, whether they were used to oppression or not. It would find that it was neither safe nor politic so to treat them. And certainly if any class deserved to be kindly dealt with by the Legislature, it was this class, which was proverbial for its persevering industry and peaceable demeanour. If, however, it should turn out that oppression was the course the House determined to pursue towards that class, his part was taken—against the oppressor, and with the oppressed.

The MARQUESS of GRANBY rose and said: Sir, I believe there is a general wish upon the part of this House that there should be a division to-night. I shall, therefore, be as brief as I possibly can in the few observations which I intend to make upon this question. After I heard the very able and eloquent statement of my hon. Friend the Member for Buckinghamshire, I confess I was at a loss to understand by what arguments that statement could be refuted. My right hon. Friend the Chancellor of the Exchequer, in a very able speech, attempted to answer the speech of my hon. Friend the Member for Buckinghamshire. My right hon. Friend began by an admission that there was a very great inequality in the taxation of the country; and he went on to argue that the proposition of my hon. Friend the Member for Buckinghamshire did not afford exclusive relief to the agricultural interest, and therefore it ought not to be adopted by this House. Why, Sir, if my hon. Friend had proposed to relieve the agricultural interest, without at the same time relieving the real property of the whole country, he would have been justly taunted with having introduced a measure which was not impartial. But will you argue, because he has introduced a measure which is not to be confined to a particular class, but which is based upon the eternal principles of right and justice, that you are to reject it? But, Sir, the right hon. Gentleman further argued, that the tenant farmers of this country would not obtain the benefit which we proposed to give them. I think, Sir, I can show to the House that such is not the fact. I hold in my hand a return of five parishes near my neighbourhood, where the highway rates, church rates, land tax, property tax, county rates, and police rates, average each of them at four shillings in the pound. Now, if the total local taxation of the country amounts to 12,000,000*l.*, and if you take away 6,000,000*l.* of those taxes which the people now pay, is it not clear that the property now taxed will be relieved one-half from the pressure of these local burdens? It matters not how many are included in the measure of relief: as long as you include the people who now pay 12,000,000*l.*, you will effect a great good for the agricultural interests. It is a plain matter of fact—every farmer can take pen, ink, and paper, and calculate it for himself; he does not require a Chancellor of the Exchequer to help him to a result. He can see that he is now paying 4*s.*, and that if this proposition of my hon. Friend the Member for Buckinghamshire is adopted, he will only have to pay the half of that, which will be but 2*s.* One of the arguments of my hon. Friend was, that in an ancient kingdom, where the energies of the people were chiefly directed to commercial pursuits, it was impossible to make a practical estimate available for the local taxation of the country. The right hon. Gentleman the Chancellor of the Exchequer, in arguing against this, stated facts which were never doubted, and argued as if they had been questioned. He stated, that he had compared the entries into foreign ports of manufactures as compared with entries into the ports of the West Riding. Why, Sir, in Buckinghamshire there was formerly a lace manufacture—in many other towns branches of industry now extinct, formerly flourished. They are not in existence now. They have fled from this country. They have sought a clime where gold is more abundant. With respect to the question of roads, the right hon. Baronet said—I want to know whether the commercial traveller in his gig does not confer a great advantage upon the people in the country, by taking their goods into the shops in the towns? I fully agree with him that he does. But, does the commercial traveller pass through these roads out of pure love for the agricultural classes? Does he get no benefit—is there no reciprocity in the matter? While, then, Sir, I admit freely the benefit which the farmer derives from good roads, I say that the commercial traveller is equally benefited, and, therefore, that it is not fair the farmer should have the whole expense of maintaining these roads. The right hon. Baronet went on to say, that he supposed an income tax should be levied in order to make good the deficiency which would accrue to the revenue, if the proposition of my hon. Friend the Member for Buckinghamshire were carried into effect; and upon that supposition, he argued that the farmer would not be benefited, because it would be taking the money out of one pocket in order to pay it into another. But the right hon. Gentleman should have stated, if a fresh tax were imposed, the soil would be altogether relieved, as it would be levied upon personal property. The right hon. Gentleman went on to make reference to the case of Scotland, which he quoted as an authority against us; but let the House go into Committee, and he will have an opportunity of hearing what the case of Scotland really is. The right hon. Gentleman asked, how it was possible that those who now paid 3,000,000*l.* property tax could endure the increased burden which we were about to cast upon them? He (the Marquess of Granby) would answer, how was it possible that 84,000,000*l.* of real property bore a taxation of 4,000,000*l.*, while 180,000,000*l.* of property in this country only bore a taxation of 7,000,000*l.*? Why, if you with 180,000,000*l.* cannot bear one-half of this taxation, how oppressive and unjust is it to shovel upon the shoulders of the real property of this country, which, according to your own accounts, is only 84,000,000*l.*, this immense burden of taxation. With reference to the land tax, the right hon. Baronet said, that in foreign countries, such as France, Russia, and Germany, the land paid a great deal more than one-half of the taxation of the country. This struck me as being so extraordinary, that I took the trouble of investigating the fact.

The CHANCELLOR OF THE EXCHEQUER: Your statement of my words is wholly incorrect; what I said was this—the real property in those countries bore a greater proportion of taxation than the real property in this.

The MARQUESS of GRANBY: With regard to the taxation thrown upon land, in comparing France with England, he found a vast difference in the amount paid. Mr. M'Culloch states in his work, that he touches upon this point chiefly from the light which it throws upon the subject, and partly because it was so little understood in this country. Mr. M'Culloch says—

> "So little do we know of the mode in which the public revenue is raised in France, that it is a common error to suppose that it is principally derived from the land, or, at the least, that a large proportion of it is paid by the land. Nothing can be more completely unfounded than such a supposition. The land of England is quite as highly taxed as that of France."

With respect to the question of tithes, I think there is some hardship in the present system. The tithe commutation rent charge was fixed at an average when wheat was 56*s.* a quarter; now, the present price of wheat is 47*s.* It is evident that the farmer has to pay a higher amount of tithe now than he would have had if the commutation had not taken place. I see in a morning paper the following statement:—

> "The whole of the farms on the road from North Corney to Cheltenham—a distance of about ten or eleven miles—are now either in the hands of the proprietors, or about to be vacated by the tenants at Lady-day next. The soil of that district is very thin on the brach, and it, therefore, will not admit of tenants paying rent at all, at the present low price of corn."

Now, Sir, allow me to say a word about the malt tax. Great sympathy has been professed by hon. Gentlemen opposite for the farmers and agricultural labourers, and the repeal of the malt tax is recommended by those hon. Gentlemen. I admit that that tax, by impeding the cultivation of the soil—by interfering with the application of capital—by hindering the rotation of crops—by the injury it inflicts on the humbler classes—by increasing the price of what may be called their natural beverage—I admit it would be desirable that this tax should be repealed. And I agree with the hon. Member for Manchester, that if it were possible to repeal this tax without endangering the revenue, and without compromising the great interests of this country, the malt tax ought to be abolished. But I do not see, regarding those high considerations, how 5,000,000*l.* of taxes can be dispensed with. I trust, however, that the day is not far distant when the House will, by recurring to the policy they have laid aside, be enabled with discretion and with safety to revise the whole system of taxation. I hope that, by returning to those customs duties which they have done away with, and which imposed at least one half of the burden upon the foreigner, it may be possible, by a tax upon corn and other articles, not only to repeal the malt tax, but to abolish other duties unequal in their nature and vexatious in their operation. The hon. Gentleman the Member for Manchester has told the House what a great interest he and those who sit beside him feel in the well-doing of the farmer, and how willing that class was to acquiesce in his counsels and to join in his agitation. But I think the hon. Gentleman will find himself somewhat mistaken in calculating upon the support of the farmers to further his free-trade theories—they have had enough of them; and the only way in which the hon. Gentleman can conciliate the farmers is by becoming a protectionist. The farmers are not so blind to their own interest as the hon. Gentlemen professes to suppose; but I think the angry tone in which the hon. Gentleman spoke, showed that, after all, he had no great reliance upon the support of the agricultural interest. Now, Sir, I ask the House have not the agricultural interest great reason to complain? Heavy burdens were imposed upon the land at a period when the price of corn was high, and when the landed interest was able to bear them. Is it fair to continue those burdens when the ability to sustain them no longer exists? When those burdens were imposed, the foreigner could not compete with the English farmer—now he does so, with all his advantages, upon a perfect equality. Sir, the time is come when the Legislature ought to alter the pressure of those burdens which fall exclusively upon land. I entertained the hope that Government, seeing the distress which prevailed in the rural districts—I was in the hope, after the lucid and convincing statement of my hon. Friend the Member for Buckinghamshire, that they would do something to relieve the agriculturists from this most unjust pressure. I am sorry to hear the determination of the Government. I am of opinion that the course they pursue is a dangerous course —an unsafe course. I think it is not wise, politic, or judicious that everything should be conceded to clamour and agitation, and nothing to reason and tranquillity. I think it is not right, or fair, that a most important class—a loyal class—a class attached to our institutions, and of peaceful and orderly habits, should be suffered to remain under the impression that their claims, however constitutionally put forward, are to be systematically rejected—that their petitions are to be passed by unheeded, and their grievances unredressed. Do not let me be misunderstood. I am convinced that, do what you will, these men will still remain loyal—will continue peaceable. But if the time should come again—as come it may—when their services may be needed, you may find then that systematic oppression has so debased their condition, and so dispirited their enthusiasm, that they may not be able to come forward with the vigour and unanimity which they have hitherto done. The right hon. Gentleman the Chancellor of the Exchequer at the close of his speech adverted to the condition of the agriculturists, and said their distress was, after all, extremely partial, and confined to particular localities. I am glad that the right hon. Gentleman the Member for South Wiltshire has disproved that allegation. I am glad of it for this reason—that the agricultural population may not be impressed with the idea that you not only refuse to relieve their distress, but affect to discredit it. I should be sorry that that deserving class should entertain the belief that there was neither relief for their sufferings, nor sympathy for them in the House of Commons. The right hon. Baronet the Chancellor of the Exchequer declared his opinion that it was conducive to the benefit of the labourer that there should be low prices. I will venture to give my opinion upon this subject, and I say at once, frankly, that free trade, with its low prices, has failed. I boldly affirm that the hopes they held out have not been realised —and that the disadvantages which were anticipated from its adoption have been but too faithfully realised. The right hon. Gentleman the Member for South Wiltshire did not doubt the distress, but he differed with my hon. Friend the Member for Buckinghamshire as to the causes of it. He thinks it does not arise from the low price of corn. Now, upon this head, I will read to the House a short extract. It is from an authority which I am sure the House of Commons respects, and is applicable to the present case:—

> "I admit that if unlimited foreign import, which the war had suspended, were now again allowed, bread might be a little, though very little, cheaper than it now is for a year or two; but what would follow? The small farmer would be ruined, improvement would stand still, inferior lands now producing corn would return to a state of waste, the home consumption and brisk demands for all the various articles of the retail dealer would rapidly decline, to the great injury of our towns, especially those which are not connected with manufactures or commerce."

Now, Sir, that is precisely the very state of things which has come to pass; it is a perfect picture of the last few years; the very results which Mr. Huskisson anticipated from the repeal of the corn laws have come to pass, they are verified to the letter. [Mr. Bright: What is the date of that speech?] Well, I cannot tell exactly the date of it, but the hon. Gentleman will easily find it —it is an address by Mr. Huskisson to his constituents; and I hope the hon. Gentleman will read, learn, and inwardly digest it. Now, Sir, frequent allusion has been made, in the course of this debate, to the price of corn and provisions. Now, allow me to quote the price of provisions as paid by the Grantham union, in my county:—

GRANTHAM UNION.

Provision Contracts—Sept. and Dec. 1848.

	Sept. 1848.	Dec. 1848.	Gain per week in Dec. 1848.	Loss per week in Dec. 1848.	
	s. d.	*s. d.*	*s. d.*	*s. d.*	
Flour:—					
Seconds	41 0	36 0	4½	.	Being 2*d.* per stone on two stone.
Thirds	39 0	34 0			
Coals	15 0	15 0	.	.	
Butter	1 0½	1 1½	.	0 1	On 1lb.
Milk	0 2	0 2	.	.	
Cheese	0 7	0 6½	0 0½	.	If any is bought.
Beef	0 6	0 5¾	.	.	None bought.
Mutton	0 6	0 5½	0 1	.	Suppose 4lb. are bought.
Suet	0 6	0 5¾	.	.	None bought.
Oatmeal	5 9	4 3	.	.	Seldom bought.
Peas	8 6	8 3	.	.	Ditto.
Candles	5 6	5 5½	0 0½	.	On 1lb.
Rice	21 0	19 0	.	.	Seldom bought, but the reduction is not ¼*d.* per lb.
Sago	0 3½	0 3	.	.	Seldom bought.
Tea	3 3	3 2	.	.	Nothing saved.
Coffee	1 4	1 4	.	.	
Sugar	0 5	0 4½	0 0½	.	On 1lb.
Soap	43 0	43 3	.	.	
Salt	2 1	2 1	.	.	
Gain			0 7	0 1	
Loss			0 1		
Balance			0 6		

I do not like to fatigue the House by reading documents, but I trust I may be permitted to quote the following extract from the letter of a farmer, which, in my mind, puts the matter in a very plain and practical point of view. He says, speaking of wages and the prices of corn—

> "I have a great many men who have been with me ever since I began farming; and when I told these men, three years ago, that I must lower their wages to 10*s.*, the answer was, 'We did hope you would not lower us.' I said, 'What am I to do? Look at the low price of corn.' And their reply was, 'Yes; but we are very much worse off with the price of wheat at 46*s.* than when you sold it at 64*s.*
>
> "Do you think that in proportion as the price of bread was low the amount expended upon the poor was high? I should think there can be no doubt of that; the price of corn being very low tends invariably to throw a great number of persons out of employment, and those persons have no means of supporting themselves, except by seeking an asylum in the union workhouse."

[*Cries of* "Divide!"] Well, Sir, I do not wish to intrude upon the patience of the House, and I will conclude by saying that, entertaining those opinions, I will give my cordial support to the Motion of my hon. Friend the Member for Buckinghamshire, and I think that, on the present occasion, whether he carries his resolution or not—carried it eventually will be—he is entitled to the gratitude of the community; commercial as well as manufacturing. Mr. M'Culloch says that there is justice in taxation as well as in other things—that justice here, as well as elsewhere, is, after all, the best policy—that it is for the permanent interest of all individuals, as well as of all communities, that strict and impartial justice should be done. That justice may be done upon this question is my earnest wish. I sincerely hope that, at all events, this debate may be the means of showing the agricultural and the commercial and manufacturing classes that their interests are identical and not antagonistic, and establishing a feeling, not of jealousy or distrust, but a desire to better the condition of those who toil for their daily bread; and that an emulous strife may be engendered between them to bestow upon that suffering class a larger share of comfort, and a greater security against distress and destitution, than now exists.

Mr. GOULBURN confessed, that he was anxious to express his feelings on the Motion before the House, and he could assure the House that he would confine the few observations he had to make within the shortest possible space. It was impossible to have listened to the course of this debate without observing that great changes had taken place in the course of it in the views of those who supported the proposition. He listened, on the first night of this discussion, to the speech of the hon. Member for Buckinghamshire—he listened with that attention which the hon. Gentleman's powers of eloquence and of argument always demanded, and still more with that attention which was due to the temperate manner in which his argument was stated. He thought he understood the proposition of the hon. Gentleman. He thought that he understood him to intend to relieve the real property of this country from the burden of six millions of taxation, and to charge that amount on the Consolidated Fund of this country; and he suggested means by which the vacuum in the Consolidated Fund thus created, should afterwards be supplied. The hon. Gentleman stated the amount of the void which would thus be created, and then, though he did not say indeed that the vacuum should be supplied by an increased property tax, yet he did say, that the property tax suggested a means by which the deficit might be supplied. The hon. Member said, that the quota was to be furnished by the privileged classes; he said there would be no difficulty in getting that quota; and, coupling the admission of the hon. Gentleman with the statement afterwards made, that it was not his object to reimpose protecting duties, or to recur to the system of protection previously in force, he (Mr. Goulburn) asked whether he was in error in supposing that the view of the hon. Gentleman was that the vacuum to be created in the Consolidated Fund was to be supplied by a machinery analogous to the property tax; that it was to be supplied by classes of the community distinguished from the holders of real property as the privileged classes? But he felt relieved from the necessity of answering that part of the hon. Gentleman's speech, by the able answer which the hon. Gentleman had received from the right hon. Baronet the Chancellor of the Exchequer. He (Mr. Goulburn), after that speech, and after the disclaimer of the hon. Member for Somersetshire of his participation in those opinions, should feel ashamed to attempt to add anything to what had fallen from the right hon. Gentleman. But if he wanted any confirmation of the opinion he had formed, that it was intended to impose upon funded property a charge which was now borne by real property, he might recur to the speech of the hon. Member for Lincolnshire. That hon. Gentleman, in seconding the Motion of the hon. Member for Buckinghamshire, had said that the funds were liable to this new charge, on the ground that people were required to pay poor-rates in proportion to their ability to do so; and considering that the funded property possessed the ability to pay, he told the House that the funds constituted that which was in future to be the indication of the ability of the payer. Now, upon that proposal to tax funded property, he would not now enter; he had done so on former occasions, when the House had concurred in his views; but this he must be allowed to say, that he could never be induced to believe that a British House of Commons could be so dead to the sense of what was due to public honour and credit, as to give its consent to any charge upon funded property which was not equally borne by every other species of property. But after the speeches of those two hon. Gentlemen, arose the Member for the county of Somerset, and he had said that he felt it incumbent on him to find some new source from which to make up the deficiency which the proposition of the hon. Member for Buckinghamshire would occasion. The hon. Member said that he would not ask for an income tax, but for an equitable adjustment. Now, he (Mr. Goulburn) had sat long enough in that House to know what was meant by the term "equitable adjustment." He remembered the time when an "equitable adjustment" was considered equivalent to an absorption of landed and funded property, and a general redistribution of it. Now, without imputing to the hon. Member for Somersetshire the use of the term in such a sense, he felt sorry that an expression should have been used which might be open to that construction. But that hon. Member had said that he desired to recur to the law of the 43rd Elizabeth, as originally proposed. He (Mr. Goulburn) had no objection to that law; he was prepared to admit that that law should be adhered to; but he must inform the hon. Member that the enforcement of the law of Elizabeth, as laid down in the law itself, and as it was enforced immediately after its passing, would not go far to supply the deficit of 6,000,000*l.* or 7,000,000*l.* which the plan of the hon. Member for Buckinghamshire was likely to produce. If the hon. Member looked to the time of Elizabeth, and to subsequent reigns, he would find that the plan of throwing this burden upon what the hon. Gentleman was pleased to call the privileged classes, never entered into the heads of the statesmen of those days. It had been said that in the time of Elizabeth the agricultural interest comprised three thousand as compared with the manufacturing one thousand. He admitted that. He admitted that the commercial interest of this country had, since that time, increased out of all proportion. But there was property in the time of Elizabeth in the hands of other than agricultural classes; not certainly in the hands of the fundholders, but of those who received interest for their money when lent to others, and it never entered into the minds of the statesmen of that period—at least history had failed to record any call upon the rich merchants and goldsmiths of London—to come in aid of those who had these burdens then imposed on them; and yet the Parliament of that day was one in which the landed interest had the greatest power. The Parliament, however, were so alive to what was due to honesty and to the credit of the country, that they would not attempt to call upon the commercial interest to step in to the relief of the interest with which the Parliament was itself more immediately connected. Now these different plans suggested for the supply of the deficiencies which must take place in the Consolidated Fund, were in his (Mr. Goulburn's) opinion not capable of being reasonably maintained. But, late that evening, who should come to the rescue but the hon. Member for the North Riding of Yorkshire (Mr. Cayley), and that hon. Member told the House that he was not only prepared to supply the deficit created by the plan of the hon. Member for Buckinghamshire, but, with greater views, it would seem, with more extended knowledge and more elevated aspirations, he was prepared to promulgate an entirely new system of taxation which should relieve the country from the burdens of excise and customs, and a variety of other charges to which it was at present unfortunately subject. But that hon. Gentleman, as it appeared to him, with respect to one branch of his calculation, had been little fortunate in his first essay as a Chancellor of the Exchequer. The hon. Member told the House that the income of this country amounted to 485,000,000*l.*; he told them—not that he would take one-tenth of that for the purpose of raising his revenue, but that he would levy 10 per cent upon all articles consumed by every individual of the community, and that this 10 per cent would produce a sum of 40,000,000*l.*, which the hon. Gentleman said would be sufficient for the purposes of general taxation. The hon. Gentleman also proposed to add a property tax, and so produce 48,000,000*l.* of revenue, still leaving a deficit of 8,000,000*l.*, which was to be supplied by him by means of some more mature plan. Now, independent of miscalculation, there was certainly something novel and extraordinary in the proposal of that hon. Gentleman. He professed to entertain an abomination of anything like excise; he said that the excise was the most odious tax that could be imposed; but while the hon. Gentleman said this he did not seem to be aware that he was calling on the House to impose a system of excise much more extensive, much more odious, than any which had ever been imposed upon this or any other country. How could the hon. Gentleman raise 10 per cent upon every article consumed in every family in the kingdom? Why, to carry out that plan he must have an exciseman, not only in every parish, but at every man's door. Not an egg could be brought into a man's house but this percentage would be to be exacted upon it—not a single article of food was to escape this tax. But passing from the plan of the hon. Member for the North Riding of Yorkshire, and addressing himself to that more immediately before them, he confessed that he entertained stronger objections to it than he did to the want of definite purpose in the statements of its advocates. He objected to the plan, first of all because he was not prepared to go into a Committee of that House to make a general change of taxation without having a tolerably definite idea of what that change was to be. No one who knew anything of the finances of this country, but was aware that a mere change of taxation, without reference to its amount, was attended with great public inconvenience and individual loss. The interests which had grown up under a particular system of taxation were necessarily disturbed by a sudden abandonment of that system. Other interests would be suddenly depressed and ruined by sudden change. Undue apprehensions on the one hand, and equally undue expectations on the other, invariably followed these proposals to change systems of taxation. For these reasons, if for no others, he should refuse to go into Committee, in which they were told changes were to take place to the amount of 8,000,000*l.* in our taxation, but nothing was said as to the tax which was to be substituted. He confessed that he could not view this proposition in any other light than as a commencement of a system which, if pursued, would be found pregnant with alarming consequences. Taking the proposals before them, and weighing the assertions on the one side of the House and on the other, he was convinced that this attempt to shift taxation from the shoulders of one interest and place it upon another, if countenanced by the House, could lead to nothing but continued conflict and agitation between those interests, to the ruin of both, and to disastrous consequences to the whole community. He saw, also, in the proposal of the hon. Member for Buckinhamshire, if the House agreed to go into Committee, the necessity of transferring the present local administration into the hands of the Government. He had heard with great pleasure the hon. Member for Dorsetshire's description of the qualities of the English yeomen. That description was a true one. Their intelligence, their application to business, and other national characteristics, distinguished them from the people of other countries; but those characteristics might be traced to the power which our yeomen and others had of managing their own local affairs. But if the Government were to step in and relieve that interest from the payment of half its charges, you could not refuse the management of parochial affairs to the Government. The effect of this would be, not only to alter the character of those who at present administered these affairs, but to prevent that cordial union which now subsisted, and which should subsist, between the different classes in all rural parishes; it would destroy that friendly connexion between the rich, the middle classes, and the poor, who were now engaged by one common tie in providing for parochial wants and in promoting parochial interests. On this ground, therefore, he must resist this proposition. If there were inequalities or irregularities in the amount charged on the county rates, the remedy for these evils was not by going into Committee, as recommended by the hon. Member for Buckinghamshire; but it was by the exercise of discretion on the part of this House, and by their taking care, that when public wants were to be provided for, they did not impose additional burdens upon those, whether they were owners of real or of personal property, who could not justly be subjected to the particular charge.

Lord J. RUSSELL: Sir, if anything could prevail upon me to vote for a Committee of the whole House, as the hon. Gentleman recommended in his very able and oratorical speech, it would be from the motive of curiosity to see what the hon. Gentleman's plans really are, seeing they were so vaguely and indefinitely sketched that no distinct outline of the scheme has been given in the whole course of the debate. Every one supposed, from the speech of the hon. Gentleman, that he was about to propose an increase of the income tax. That one of the most important interests of this country is in a state of distress no one denies; and my right hon. Friend the Chancellor of the Exchequer admitted it fully with regard to a great portion of the country. Well, then, the first step of the hon. Gentleman is to take off 6,000,000*l*. of the taxes; and it was understood that, to enable that to be done, the income tax should be increased. My right hon. Friend the Chancellor of the Exchequer showed conclusively that if that were to be done, they will either have to take off a considerable sum from the landed interest, merely to put it on again, and put it on the occupiers more particularly; or else commit a breach of faith which it is impossible for this House ever to consent to do. And then after we had this plan two whole days under consideration, up gets the hon. Gentleman the Member for Somersetshire tonight, and says, for his part, he had not heard his hon. Friend (Mr. Disraeli) even pronounce the name of the income tax, and that no such plan was his intention. But although he gave us this information, he studiously kept secret what the plan is to be by which a large amount of revenue is to be supplied. It is no wonder, if the authors and propounders of the plan, and those who are most in the confidence of the hon. Mover, refuse to give any light to the House, that other Gentlemen should come forward and propose various plans by which the void should be supplied. The hon. Member for Lincolnshire (Sir M. Cholmeley) accordingly said, he thought a moderate duty on corn might supply the deficiency of 6,000,000*l*. 6,000,000*l*. to be supplied by a moderate duty on corn! This suggestion was very well intended, no doubt, and the hon. Member had come forward with it to the rescue, it would seem, of the hon. Mover of this proposition. But this, however, would not suffice; upon which the hon. Member for the North Riding of Yorkshire (Mr. Cayley) rises, and certainly he had made a bolder attempt—he had volunteered an extempore plan of finance, and one so astounding that I do not wonder that my right hon. Friend (Mr. Goulburn), with his old habits of office, was shocked by its novelty and boldness. The customs and excise duties were to be utterly swept away, and then 40,000,000*l*. of taxes were to be raised by a tax upon every article of produce and consumption; and the deficiency was to be replaced, not by a burden which, although not very pleasant, we could still bear, but by one so intolerable in its nature, that it would not be submitted to for a single month. Therefore, giving the hon. Gentleman credit for his good intentions in coming to the relief of the hon. Member for Buckinghamshire, I must still say that he has not promulgated a plan that will satisfy the House, and induce it to go into Committee. What, then, is the great secret? It is enough to incline one to go into Committee, if it only were for the purpose of finding it out: 6,000,000*l.* of taxes is no small portion to be replaced. What, then, can be intended? Sir, the noble Marquess the Member for Stamford says—"There is to be a taxation that will not bear upon occupiers at all: it will all be placed upon personal property not now taxed for local purposes." Is that his plan? Does he mean that there should be a general tax on personal property, and one to be levied from which all real property shall be exempt? It is necessary to consider a little—and I will do so very shortly—what is the general nature of the proposition of the hon. Gentleman. We find the local taxes, the greater part of which is poor-rate, have existed from the days of Elizabeth down—for more than 250 years; and that they have been assessed according to the decision of the courts of law. Now, what reason has the hon. Gentleman for saying that this is by any means a new tax upon the land? What ground has he for saying even, that the land is more taxed at this moment than it was in former times? We know that four years after the Revolution—that was, in 1692—a tax of 4*s.* in the pound was imposed on the land, and that for many years the land did not alter in value. In 1730, Sir Robert Walpole, in proposing a reduction of the tax, said the tax had borne so hard upon the landed interest, that many persons were obliged to sell their estates, being utterly ruined by the burden. But this land tax became in process of time, the valuation not being altered, a much greater burden than it is at present; for it was then 2,000,000*l.* out of 40,000,000*l.*, supposed to be the value of the landed property of the country—a much higher rate, in proportion to the value of the land than is contributed by the land at the present time. Then, with regard to the charge for poor-rate, I think the objections stated by the right hon. Gentleman who spoke last were conclusively against the propositions made on this subject; because, even supposing that you took off this tax from real property, and, supposing it perfectly easy to obtain 6,000,000*l.* from the Exchequer, to apply to this purpose, it would not be wise to say that that which has been hitherto a local burden, administered for local purposes, and governed and controlled by the prudence and discretion of local bodies, shall, henceforth, be a public tax, and the Chancellor of the Exchequer shall be obliged to meddle with its application, and have to control and direct how it is to be expended; because you could not otherwise submit to it. In certain cases the poor-rate may be light, in others, heavy; and both the heavy and the light tax may be proportionate to the necessities of the parish upon which it is imposed. But it may be otherwise; and are you to admit that this one parish shall be burdened, say only to 5*s.*, and another parish to 10*s.*, and that 5*s.* shall be taken from the public treasury for a parish whether it may have endeavoured to reduce its expenditure or not, and whether the enormous amount be justified or not? So that there would be a constant interference with the parochial rates; and you must break down that system of local government which it is so desirable to preserve. I should say, Sir, that even supposing that this tax could be thus equally paid, it would not be wise to alter the parochial government in a degree that might break down the whole of that government, hitherto administered entirely by local and representative control. But, Sir, the hon. Gentleman, in the course of his speech, made some reference to what I said and proposed on this subject some few years ago. It is true that in 1846, following the right hon. Baronet the Member for Tamworth, I said that if the corn laws were to be repealed, I thought considerable relief ought to be given to the landed interests from the burdens to which they were then subject. What I had in contemplation was more particularly those charges having reference to the administration of justice; and the right hon. Gentleman, coming back to office, and propounding his plan, did propose a diminution of these burdens, and of several others that pressed upon real property to the amount of 535,000*l.* I do not know whether what I should have proposed would have been exactly to that amount, or somewhat more; but it certainly would have been a change in that direction, and applied to those purposes, and not a change applying to the general administration of the poor-laws. There are some of the charges taken from the Exchequer by the right hon. Gentleman that I would probably not have proposed; and the whole amount of relief given by the right hon. Gentleman now amounts to 580,000*l.*, which I believe is fully as much as I would have taken off had I had to repeal the corn laws, and which I believe would have given considerable relief to the landed interest. But the hon. Gentleman seems to suppose that I used expresssions at some period which applied injuriously to the owners and occupiers of land. The fact is, that for several years I told those Gentlemen who were peculiarly interested in the defence of the landed interest, that it appeared to me that public opinion tended to a great change in the corn laws, and I thought it would be wise for them to consent to that change in time, and that particularly when there was a large surplus revenue, as it could then be considered whether any relief could be given to the landed interest out of that surplus, they consenting, at the same time, to a very great and extensive change in the corn laws. Sir, the only answer that I got to my propositions at that time was such as I received in 1844 from the hon. Member for Somersetshire, who deplored the loss of the corn laws. The hon. Gentleman at that time was reported to have said that "he commiserated the position of the noble Lord (Lord John Russell), who had been led to suggest a compromise, and called upon the agricultural interest of the country to submit to no such compromise." I think that has been the fatal error of the landed interest. It appeared to me both that the protection then given was greater than that which existed before the war in 1793, and that it was a protection that could not, in that shape, be long continued; and I warned them again and again that the day was coming for a great change, and advised them to make that change as easy and as useful to the agricultural interest as they could by an offer on their part that it should be made. What I got in return was an accusation that I was "the enemy of the farmer;" and I certainly could not help somewhat resenting the charge at the time, knowing that all I intended was not for the injury but the benefit of the landed interest, some of the Members of which I was addressing. In the same spirit in which I gave that advice, I say that I hope the landed interest generally will not follow the hon. Gentleman's proposition to-night. I am quite sure that if he were to succeed in that proposition, and were to impose, most unjustly, as I think, on personal property, a new burden of some 6,000,000*l.*, and if this House and the other House of Parliament were to sanction such a proposition, it would be but the signal for a new contest—the signal for invectives against the landed interest of this country, and would be the ground for charges that they were considering only their own power and their own pecuniary advantage, regardless of the great national interests of the country; and in the course of this contest not only would they be deprived of the new tax that is now sought to be imposed, but they would probably find that other and harder conditions would be imposed, in order to diminish the weight which they possess—and which I think they justly possess—in the British Legislature. [*Laughter.*] I presume that that last remark of mine has caused some mirth in hon. Gentlemen opposite. Sir, it was the same thing when I said I did not think that protective laws could be long maintained. That was considered an absurd and extravagant speculation of mine. It was received with a smile, and I am not surprised that what I say now meets with a similar feeling. With regard to the proposal of the hon. Member for Montrose, I do not think that it is a proper occasion for the House to assent to such a proposition. When the hon. Member for the West Riding made his proposal for a reduction of 10,000,000*l.* in the national expenditure, he did it on a suitable occasion, when the question of expenditure was before the House; and when the House could and did say whether they considered that reduction justifiable. But to bring forward a proposal for the reduction of 10,000,000*l.* of taxes, without the proposer having the means of knowing whether that amount was not absolutely required for national purposes, appears to me an interference with the Motion of the hon. Gentleman the Member for Buckinghamshire which the House would not be justified in adopting. Sir, the hon. Gentleman opposite has made his proposition. I shall now vote against the Amendment, in order that that proposition may come fairly before the House. But when it does, I shall give my vote most decidedly against it, believing that if it were carried it would be unjust and inexpedient, that it would be the signal for a new war of classes, and that it would produce evils of which the hon. Gentleman himself has no conception.

MR. COBDEN: Sir, I have been alluded to so frequently in the course of this debate, that I am not willing to allow it to cease without saying a few words. I shall not weary the House by a reference to the speech of the hon. Mover of the original Motion; I consider that to do so, after the able speech of the right hon. the Chancellor of the Exchequer, would be to slay the slain. I will not stop to say a word on the jocular misrepresentations which have been made of the speech of the hon. Member for Montrose; but I must say, that to-morrow I shall probably refer to those misrepresentations as to the amount of expenditure on our naval and military establishments, which I think are very much calculated to mislead the country. The plan of the hon. Gentleman opposite has at length been resolved into this—that it is a proposal to lay on between 400,000*l.* and 500,000*l.* of additional taxation on the farmers, on the plea of benefiting them. And this is the proposal which is made in the interest of the tenant farmers. That is upon the assumption that it is demonstrated beyond all possible cavil or contradiction that the local burdens laid upon property are borne by the owners of property, and not by the floating capital of the country. If you deny that, of course you can go to the country with your proposition for favouring the farmer by reducing the burdens on real property; but is there a human being whose opinion is deserving a moment's consideration who will deny this proposition, that if you relieve the burdens upon real property, the relief will go into the pockets of the owners of that property? Take this case. Two farms are to let of exactly equal intrinsic value, as to quality, soil, and situation. One shall be rated at 2*s.* in the pound to the poor-rate; the other at 8*s.* Would you let the two farms for the same rent? I ask even a nod of assent from the hon. Gentleman opposite. There was not a farmer or land agent who would say that the two farms would let for the same money. Deducting in each case the amount of the rate, the remainder was the amount of rent in each. Is not this coming before us under false pretences? It is altogether very much like a hoax. First of all, the tenant farmers are paraded before us. You come in hot haste from Willis's rooms with the case of the tenant farmers. Not a man is allowed to speak there but a tenant farmer; by the way, they are for the most part land agents. I know the most of them, because I have met them in the country. But you come here professing to serve the tenant farmers, and you try to raise a quarrel between them and the manufacturers. What was the peroration of the speech of the hon. Member for Buckinghamshire? Was it not an attempt to array the tenant farmers against the manufacturers, by classing the former under the insidious title of the landed interest. But there is no difference between the manufacturers and the farmers in relation to the question before the House. The farmer is a manufacturer; he hires the land for the purpose of manufacturing. But, as farmers and landlords, your interests are antagonistic, in spite of anything that may be said to the contrary. I do not wish to set farmers against landlords by saying that. ["Oh, oh!"] You may cry out; but I will be understood by the farmers, as well as by the landlords in this House. As members of one community, I do not say that landlords and farmers have not common interests in good and equal laws; but if you come before this House and ask for a measure to benefit landlord and tenant exclusively, then I tell you, that as landlords and tenants your interests are antagonistic—for the interest of the one is to get the land as cheap as he can, and the interest of the other to let it as dear as he can. I say, then, that it is impossible to combine both in one measure, so as to give an equal amount of benefit to both interests. You might as well expect to combine the cotton factors of Liverpool, and the cotton spinners of Manchester in one measure which would be equally advantageous to both. The two cases are precisely the same. And I do hope the time is not far distant when these discussions will put the tenant farmers in their real position in this country. I have been accused by hon. Gentlemen with having said, that I considered the farmers had been injured—nay, the hon. Member for Buckinghamshire went so far as to say that I was a party to injuring them. I wish hon. Gentlemen would have the fairness to give the entire context of what I did say, and not pick out detached words. If they did so, it would save time and my explanations. What I said at Manchester was this, that as we carried the principle of free trade with respect to corn, we owed it to the farmer to carry out the same principles by removing as far as possible every impediment to the free employment of capital and labour upon the soil. The farmer complains of the interference of the malt tax with his business, and it is not inconsistent with my principles to remove that impediment out of his way. I do this without pretending to any particular affection for the farmer above other classes. If I did so I would follow your error, by attempting to legislate for a particular class. I said, on a former occasion, that I would not enter again into the subject of free trade, unless a Motion was laid on the table of the House for the purpose of restoring protection to corn. But this Motion has been made a protection debate, and we have been charged by hon. Gentlemen opposite to make good our case; and it has been asserted that we are the authors of all kinds of disasters, not only to the farmers everywhere, but to the labourers, and even to the manufacturers. I deny the charge: now I bring you to the facts. You complain of the condition of the agricultural labourer—you complain that he is suffering from the low price of provisions. The noble Lord the Member for West Sussex (the Earl of March) spoke of the halycon days of high-priced corn, and how well off the agricultural labourers were then. I have taken pains to inquire into that matter, and I deny that they were better off. Take one of those darling years of which you are so fond—take the year 1847, and compare it with the present time. An agricultural labourer's family, consisting of five persons, if they consumed as much bread as is allowed per head by the poor law unions to out-of-door paupers, should consume ten 4lb. loaves in the week. Then ten loaves in 1847 cost 9*d*. a loaf, or 7*s*. 6*d*. for the whole; they cost now 6*d*. a loaf, or 5*s*. for the whole; so that he pays 2*s*. 6*d*. less for his bread now than he did in 1847. The reduction of wages generally is about 1*s*. a week, so that he is a gainer by 1*s*. 6*d*. But I will take the extreme case put by the hon. Gentleman opposite, and assume that wages have fallen 2*s*. a week, and even then it leaves a balance of 6*d*. a week in his favour, independently of the measures passed in consequence of free trade for the reduction of sugar, which conferred a further benefit on the labourer. But take the ordinary case of the labourers and mechanics in towns—take the case of the manufacturing labourers in the north of England and in London—and I maintain that at the present time, as compared with those high-priced years gone by for ever—those years for which the noble Lord sighs in vain—the mechanical operatives and labouring population in our great manufacturing seats save at least from 2*s*. to 3*s*. a week in their weekly wages, which is tantamount to 15 per cent on their income. The hon. Member for the North Riding of Yorkshire (Mr. Cayley) said, that we failed in all our predictions, and he made us appear as if we expected a great many things which I never expected. He said that we caused a great reduction of wages. Well, if you say you have reduced wages in the agricultural districts, I hold that you are good authority for that statement. But I deny that wages have been reduced in the manufacturing districts; nay, more, I deny that they have been reduced in the neighbourhood of those districts. On the contrary, there has been a tendency to a rise in wages during the six weeks that the corn law has been abolished. I will state a case which the noble Lord the Member for Stamford (the Marquess of Granby) will comprehend. Within a few weeks a body of men for whom he and his brothers professed great sympathy—the stockingers and glove makers of the midland counties—struck for an increase of wages. I find it stated in the Nottingham newspapers, that they have had four successive strikes for wages, and that the men gained the advantage on every occasion—a thing which was not known for seventy years before—during the whole of which period there had been a gradual diminution of wages. Take again the district with which I am connected—take Lancashire. What is the state of things there at the present time as compared with the days to which the noble Lord is so anxious to go back, and to which you are all anxious to go back? Why, it is in a state of comparative prosperity now. Look to Bradford, and compare its condition now to the state it was in twelve months ago, when I accompanied a deputation to the right hon. the Chancellor of the Exchequer, asking for relief in its behalf. But I need not confine myself to the manufacturing districts. I will take the condition of the farmers themselves. I call on the hon. Member for East Somersetshire to go over some figures together with me. I admit the farmers are suffering in certain districts. But I am not going to let hon. Gentlemen off as to the cause of that distress. Did hon. Gentlemen forget that the farmers suffered sometimes before? Do they read *Hansard?* Did they recollect the years 1819, 1820, and 1822, when petitions were presented every night, and debates and speeches upon them—when county meetings were held day after day to protest against the distress and oppression which the agriculturists were labouring under, and when they showed themselves more sensible than they did now, for then they always accompanied their petitions for redress with a demand for a reduction of expenditure and taxation. They did not then suffer themselves to be bamboozled as they were now, when not a word was uttered by them about a reduction of public expenditure. What did they think of the year 1821, when Sir E. Knatchbull declared that all the farmers were nearly ruined in 1820—that they were quite gone in 1821? In 1822 a Committee of Inquiry was granted to inquire into agricultural distress. Now, bear in mind that you had all this time a law which gave you a monopoly of the wheat market up to the price of 80*s.* What said the report of that Committee? Why, it said it must be admitted that protection could not be carried further than monopoly, and that the agricultural interest enjoyed a complete monopoly since 1819. No wheat had been imported from 1819 to 1822, and yet the agricultural interest was in a state of universal distress, and even in a state of bankruptcy. Well, in 1835, you were in the same condition precisely, and you had a Committee which made no report, because no case could be made out during the time of the sliding scale. In 1836, again, the Marquess of Chandos made a Motion for the repeal of the malt tax, and he said that the landlords were abandoning their mansions to go and live abroad, the farmers were going to the workhouse, and the labourers, instead of beer, went to get water at the pump. Did they recollect that Mr. Benett, the Member for Wiltshire, when slily threatened with the income tax, said that this was no threat to the landed interest, for the land was no longer theirs —it was in the hands of mortgagees and money-lenders? Well, all this was during the height of protection—and with this before you how can you come and say that, with free trade only in existence for six weeks, we are the cause of the distress of the farmers? I believe that this distress has partly arisen in consequence of our principle of an immediate repeal not being carried out. I stated my opinion emphatically in 1846, that the farmers were making a mistake in not having the corn law immediately repealed, because I knew that during the three years that it was to continue a stimulus would be given to the production of wheat all over the world, for the purpose of pouring it into the market here, when the duty was entirely taken away. The duty, which was run up to 10*s.* came down suddenly, and this was partly the cause of the distress. I believe that the parties who imported this wheat are selling it now at a loss. But if we are not the cause of the farmer's distress, who is the cause of it? Let us go back to a time when wheat was selling at about its present price, and when farmers were generally doing well. Between the years 1785 and 1790, the farmers had a quiet steady trade; there were no complaints then. Why were there now? Why did not the farmers get the profit now which they got in the period between the American war and the French revolution? In 1790 the price of iron and implements of husbandry was double what it is now: clothing of every kind was nearly double; cotton articles were four or five times their present price; salt was double the price at which it is now selling. Tea, sugar, coffee, soap, fuel were dearer then than now. Spices, preserved fruits, and all the moderate luxuries of life, were then dearer than at present. But, on the other hand, butcher's meat, bacon, butter, cheese, poultry, and eggs, bring higher prices now than then: so that all the articles in which the farmer dealt sold as dear or dearer then than at present; while with the exception of beer, which we the free-traders are anxious to put on the same footing, there is no article of domestic use, or implement employed in his business, which the farmer cannot buy cheaper now than in 1790. The price of labour in the purely agricultural districts has not changed more than one or two shillings a week, and taking its productiveness into account it is far cheaper now than in 1790. Why then does the farmer complain now? Why cannot he carry on his business as profitably as at the above period? There is one little item which you all forget, but which I do not forget—and that is simply the rent of land, which in many cases is double, and in some cases treble, what it was in 1790. I say without hesitation, or fear of contradiction, that the rent of agricultural land in England is now double what it was in 1790, and in many cases treble; while in Scotland it is universally more than treble. I am not going to speak to you now that the corn laws are repealed, in language different from that which I used when agitating for the repeal of those laws. I have never in the presence of farmers, in any county in England—and I have met them in open assembly in almost every county—much as I am charged with telling one story in one place, and another story in another place—I have never dwelt on a probable reduction of rents as a reason for repealing the corn laws. I have, however, always said that with free trade in corn, and with moderate prices, if the present rents were to be maintained, it must be by means of a different system of managing property from that which you now pursue. You must have men of capital on your land; you must let your land on mercantile principles—you must not be afraid of an independent and energetic man who will vote as he pleases at the hustings—you must abandon that modern innovation of battue shooting, which was not known to your ancestors in 1790. [*Laughter.*] Well, now, you laugh at that. I told you before that I knew I was speaking in the presence of landowners and landlords, and I now ask you to deal fairly with me when I tell you a home truth : it is, that when you laugh at this battue shooting, you are doing precisely the contrary of what the farmers would do if I were speaking about it to them. I know that farmers regard this system of game preserving as a very great nuisance, as a very great hindrance to the employment of capital. I know an instance of one of the greatest agitators for corn laws, a large landed proprietor, who has driven some of the best tenants that could be found in this kingdom—men of capital—from his estates, because he perseveres in keeping up an inordinate amount of game. I am not going to be fanatical with you, even on the subject of game. I never yet met a farmer—I now speak in particular of the Lothians—who wished to extirpate game. You may have all the game necessary for exercise; but if you will keep up such an amount of game as is necessary for the shooting of 500 head in one day—and I have heard of that being done by a noble Lord and some of his friends—let me tell you that you cannot get men who will pay you in rent, pay you in game, and pay you also in votes. You must be content with a money rent. Give up your game, and give up the votes of your tenants, or you will not be able to retain your money rent. There is nothing unreasonable, though there may be something very inconvenient, at this late hour, in my talking to you in this way. If you come to this House and parade the distress of the farmer—if, besides, you utter something like a threat of robbing the Exchequer, and deal out alarming predictions of what is going to happen if the farmers are not made to prosper in their business—it becomes us who take a different view to tell you what are the reasons why the farmers are not more prosperous. Now, Sir, something has been said about the very painful ordeal of sending away small farmers who have an insignificant amount of capital. Well, in the first place, it is not very complimentary to a system of corn laws and protection that the farmer's trade is the only one in this kingdom in which capital is deficient. It is overflowing in every other trade. I defy you to show me any other trade in the kingdom, wholesale or retail, which is not glutting the market. And farming being the most inviting business of all, is one to which capital will gladly flow, if you will accept energetic men and men of capital as tenants. Give such men sound leases, and let them do what is best for their own prosperity, and capital will always come to the land in abundance. But what I wish particularly to show you is this—that it is a mistaken humanity to keep on your estates farmers who are deficient in capital, and I should add deficient in intelligence also, if what the hon. Member for Dorsetshire stated be strictly correct—namely, that if you went to the farmers of that county and explained to them what the hon. Member for Buckinghamshire meant to do for their benefit, they would all, without being coerced by their landlords, at once say, " We shall be very glad if you will take off these local rates, for we feel quite sure that the landlords will not put the amount into their pockets, but will take it off our rent." If such be the real character of the farmers, I must say that they want intelligence as well as capital. What I say on that subject is this, that while you are looking at the interests of men who are without intelligence and without capital, you should also look at the interests of the agricultural labourers, who are much more numerous, and therefore more deserving of consideration than even these small farmers. If you have not men of capital on your land, the labourers cannot be employed. Go to any district—for example, North Devon or Dorsetshire—where the farmers are most deficient in capital, and there you will find the poor rates highest, and the labourers most depressed. Well, then, I say, whatever may be the inconvenience of doing so, you must take steps to draw capital to your land. You must invite it —you must tempt it—and if you do so, you will be able to employ your labourers. It is perfectly true, as was stated by the noble

Lord the Member for West Sussex, that in seasons of depression a number of labourers are thrown out of employment in the agricultural districts, and that while the depression lasts it tends to raise the amount of the poor-rates, so that it is made to appear that the poor-rate has not a tendency to fall in cheap years, as we maintain it ought to do. But what is the cause of agricultural labourers having been thus thrown out of employment when a depression suddenly arises? It is because the tenantry have made false calculations as to the mode in which they are to carry on a profitable cultivation of the land. Farmers have depended on high prices being maintained by Act of Parliament ; and when those prices fail them, as they always have done from time to time once in seven or ten years, these men, who have insufficient capital to rest upon, and who have depended upon nothing but artificial prices, break down, and come whining to Parliament for relief. Well, then, you must put an end to this state of things. I exhort you to tell the farmers honestly that it is "a delusion, a mockery, and a snare," to teach them that you can restore one shilling of protection in this House. I admit that you may tamper with the navigation laws. That matter rests with the noble Lord and his Government; and if I were in his place, I would stand or fall by the navigation laws without altering a clause. But I tell him in the most amicable spirit, that there will be no agitation for the repeal of the navigation laws. The public mind considered the free-trade question as settled ; but the public also expect that the Government will show some vigour by completing the measures of free trade, by equalising the duties in the tariff, the duties on coffee, and other articles of general consumption, and by getting rid of the navigation laws. They expect the Executive Government to show the same vigour, with a majority of fifty or sixty in this House, as the right hon. Gentleman (Sir R. Peel) showed in laying the foundation of free trade by the repeal of the corn laws. The effect of this measure being rejected would not be to create an agitation, but to strike the country with despair of any strong and vigorous administration in the hands of the noble Lord. I say, then, that whatever may be the fate of the navigation laws, the corn question is a different thing. I was always an advocate for confining the public mind to that one question—I call it the keystone of the work—the rest will fall of itself. But if the Government were to propose a 1*s.* duty on corn—why, it was a very great scene in 1815, when the people surrounded this House whilst you were passing the corn law; but, depend upon it, you will be surrounded by a totally different class if you attempt to pass another corn law. Now, if you value your own interest—if you value the interest of the farmer—above all, if you value the interest of your labouring population, dissipate this delusion which some of you are attempting to propagate; tell them, once for all, that any renewal of protection on corn is as impossible as it would be to repeal Magna Charta. Tell them to rely upon their own energies, and that you will co-operate with them. Go to them and talk to them, and do not come here talking to the Government or the Prime Minister about reviving protection. Take your proper place, and do your duty alongside of your tenants. Join together in adopting such measures as are suitable to your altered circumstances, and to that which is irrevocable. Don't dream of high prices again. High prices are incompatible with the well-being of this country and with the interest of the manufacturing population of the large towns. Do you want to follow out the policy of the noble Lord the Member for West Sussex (the Earl of March), and to bring us back to the state in which we were in 1839, 1840, 1841, and 1842—the years included in his list of high prices—and when he says everybody was prosperous ? Have you forgotten the state of Stockport, almost a desolation? Have you forgotten Sheffield with its 20,000 people existing on the poor rates, or Leeds with its 30,000 in the same condition ? Have you forgotten a state of things in which political excitement almost bordered on insurrection ? and would you dare to bring back such a state of things, and, above all, call it prosperity ? No, Sir, you have a fair career before you with moderate prices, provided you will alter the system on which you conduct your affairs. Thirty years ago the manufacturers and merchants of this country had to go through precisely the same ordeal as you have now to pass through. Many of you remember what a revulsion there was within three years after the war in every article of manufactures. Why, a great number of people were then ruined by the losses which they sustained through the stocks which they had on hand. But what occurred gave rise to a totally different description of trade—a trade aiming at a large production and small profits; and let me tell you for your encouragement, that, from 1817 up to the present time, the fortunes made in manufactures and commerce have not been realised by selling at high prices, but almost every successive fortune has been made by selling at low prices, though in larger quantities. Now, there is abundance of scope for you to carry out the same thing. I believe we have no adequate conception of what the amount of production might be from a limited surface of land, provided only the amount of capital were sufficient. I see no reason whatever why I should not live to see the day when a man who lays out 1,000*l.* on fifty acres of land will be a more independent, more prosperous, and more useful man than many farmers who now occupy five or six hundred acres, with not one quarter or one tenth of the capital necessary to carry on the cultivation. Sir, I sincerely thank the House for having listened to me with so much attention at this hour of the morning. I should be sorry if the Motion of my hon. Friend the Member for Montrose were ignored in the great discussion which we have had about local taxes. My hon. Friend seems to me to have very properly met the case as it at present stands. It is quite clear that the hon. Member for Buckinghamshire has been put out of court. That is quite certain. When the farmer reads the Chancellor of the Exchequer's speech—and I would certainly recommend every farmer in the country to do so—when he reads that speech, aided by the analysis which I find in *Punch* to-day—when he sees that the sum total of advantage to the farmer shown by the speech and the analysis is an increase of taxation to the amount of 400,000*l.* I don't think he will consider that any boon has been offered to him. The Chancellor of the Exchequer himself does not, indeed, promise anything much better. He declares that he cannot give us any remission of taxation. Well, then, my hon. Friend the Member for Montrose steps in in the most timely way; and though now probably, as he has always been, a little before his time, still he is right. Now, I am quite sure that you cannot benefit the farmer except by a general reduction of the national expenditure. Let me further tell the landowners that that is the only means of staving off that tendency to a reduction of rent which must arise in a transition state, though I maintain that the value of land will ultimately be higher under a system of free trade than it ever could have been under protection. My hon. Friend proposes to repeal the malt tax. Now, though I am a very great advocate for the repeal of the malt tax, yet, being a sober man myself, I do not take such an interest in the question as some hon. Members do. Farmers delude themselves, however, with the idea that they pay this tax: far more of it is paid by many a coal-heaver on the river Thames than by any farmer in the country. But I shall vote for the repeal chiefly because I wish to diminish the waste of our national expenditure, and thus to find means of reducing taxation. Let there be sufficient pressure, and the Government will find a way of reducing our costly establishments. I will add that my own course with regard to the reduction of taxation is supported by that of the noble Lord (Lord J. Russell), who in 1816, after the war, contended for a reduction of the Army below the Government estimate of 99,000 men. The men were voted, but there was an immense excitement against the property tax, and when it came to be voted it was rejected by a large majority; hereupon the Secretary at War asked to withdraw his estimates with a view to their revision, and they were revised and reduced most materially. So, if the Government now is made to take the malt tax and other taxes in hand with a view to their reduction, they will soon find it necessary to reduce their estimates, and, therefore, as one very sound reason, do I hope that the House will support the proposition for a reduction of expenditure.

MR. DISRAELI then rose to reply. He said: Sir, I can assure the House that at this hour of the night (past One o'clock), I shall not abuse the privilege of reply; but at the same time, I hope the House will agree that under the circumstances, to a certain degree, I may fairly avail myself of it. It appears to me, after having carefully listened to every speech that has been made during this prolonged and interesting discussion, that the objections to the resolutions I have proposed may be classed under three heads:—First, to the justice of the allegation that there are unfair burdens upon the land; secondly, to the practicability of the remedial suggestions I have made; thirdly, it is maintained, that even, if practicable, the scheme which I propose will not in any degree benefit the farmer. I believe that a fair general summary of the objections used against the resolutions. Now, with regard to the first class of objections—those, namely, against the allegation of great injustice in the burdens solely laid upon real property in this country—the denial of this assertion comes mainly from the hon. Member for Montrose, and those who agree with him in political opinion. The hon. Gentleman says, that the land of England, in whatever way we find it, whether cultivated or covered with buildings, has been purchased subject to certain imposts; and that, therefore, the proprietor has no right to complain that he is subject to those charges. Now, when property is purchased subject to certain charges, it is difficult to say at what period of time the proprietor or his representative may venture to feel them a burden; but if a person have purchased an estate subject to certain charges, and in course of time the circumstances under which he holds that property become very much altered, is he estopped from complaining of the pressure of the original circumstances? The hon. Member for Montrose has enumerated certain charges which a person who purchased an estate a few years ago took it subject to. But the hon. Gentleman admits also, that the effect of the laws which then existed was to raise rents; but if the effect of subsequent legislation has been to lower rents, may not an original charge become a grievance? I do not find any person deny that, so far as real property is concerned, it is liable to burdens to which other property is not liable. Certainly, the right hon. Gentleman the Chancellor of the Exchequer clearly acknowledged that the burdens on real property were very considerable; and he informed us—and I confess I was somewhat surprised at the declaration—that Her Majesty's Ministers had taken those burdens into consideration, and had already furnished an equivalent and a compensation to the landed interest, namely, that in the income tax they were not charged more in the pound than any other interest was. Imagine to what a condition the landed interest is reduced, when equality is considered as a favour. But I should have thought that a Minister who referred to the property tax must be in the very extremity of argument, so far as real property was concerned, when we remember that the proprietor of land is rated to the property tax, without allowance for repairs or cost of management, while the possessor of other property is allowed, in his declaration of income for the income tax, and fairly allowed, to place to his account every drawback. In the second schedule, too, the farmer pays on profits which you have since totally destroyed by another law. But I am not surprised that the Chancellor of the Exchequer acknowledged the burdens upon real property, when he sits near the noble Lord (Lord J. Russell), who, in his letter to his Sovereign three years ago, expressed his determination, if he had been in power, to rid the occupiers of land of the burdens to which they were subjected. That noble Lord has favoured us to-night with an explanation of this highly interesting State document. He said he would, had he been in power, have fulfilled the intentions of the right hon Gentleman the Member for Tamworth in this respect. Now, what the right hon. Baronet did for the land of England, was to take off an annual tax that amounted to 100,000*l.*, which is now contributed to the county rate. Am I then to understand that that 100,000*l.* relief was an equivalent for all these burdens? Was that his method of redemption of the 8*s.* fixed duty which has rendered him so celebrated, and which we are now so ready to accept? But, Sir, no one can suppose that the right hon. Gentleman the Member for Tamworth and his friends have at all changed their opinion with regard to those burdens upon land, although the right hon. Gentleman may have changed his opinion upon the policy of maintaining the corn laws. Well, then, it is admitted upon all hands that these burdens upon real property are unfair and unjust. No one except the hon. Member for Montrose has denied that. The next point, then, to be considered, is the practicability of the scheme—as it has been designated—which I propose. I remember that a few weeks ago some memorable resolutions were placed upon the table of this House by the noble Lord the Member for the city of London — resolutions which may not be more fortunate, perhaps, than mine—I remember that I then requested the noble Lord, before he went into Committee, to favour the House with some details of the plan he was about to propose, and some explanation of his views. But the noble Lord was obstinately mute. Nothing would tempt him to give any explanation of his plan until the House should have formed itself into Committee. And surely the noble Lord ought not to have been astonished that I followed so eminent an example, and that I have been as chary as himself in offering those explanatory details for which I have been asked. Yet to-night the noble Lord has wondered with a gay audacity that I should presume not previously to communicate my plan. The right hon. Gentleman the Chancellor of the Exchequer has been complimented upon the ease with which he has demolished my scheme. The right hon. Gentleman has laid it down, that I was prepared to recommend to the House a plan for raising 5,000,000*l.* or 6,000,000*l.* by an income and property tax; and, having laid down that assumption for his argument, he proved most satisfactorily to the House that, by my plan, I should take out of one pocket exactly the sum which I should place in the other, Nothing could have been more admirable than the argument, nothing more sustained than the logic, of the right hon. Baronet. The enthusiasm of the Chancellor of the Exchequer was interesting as he performed the imaginary operation. I saw before me, as it were, a man squaring the circle, or on the point of discovering the philosopher's stone. The only drawback, however, which there was from the triumph which the Chancellor of the Exchequer and his friends claimed was, that I never had, in any way, stated that I intended to raise any sum whatever by means of the income or property tax. The right hon. Gentleman, when he had completed his process of ratiocination, appeared so convinced that he had been dealing with a plan which I had not proposed, that he felt himself obliged to confess that it was his own hypothesis with which he had amused the House. I leave him, therefore, in the full enjoyment of his triumph. He has demolished a case which never existed. And so I leave the Chancellor of the Exchequer crowing on the dunghill of the Consolidated Fund. My object in bringing forward the Motion last Thursday, was to show to the House that one great interest in this country —one peculiar class of property — suffered a great grievance. I wished to show that the real property of this country was unjustly treated, and I should have been perfectly justified if I had limited my endeavour merely to establishing that proposition. If I had shown that any one peculiar class of property in this country was unjustly treated by the law, I should then have fulfilled all that could have been required of an independent Member of this House. Had I established that proposition, it might then have been left to public opinion acting upon the House and upon the Ministry to do what they might have thought necessary in fulfilling the duties which would have devolved upon the Administration. But, considering all the circumstances—considering that however unworthy I am to fulfil the duties of the office which in this respect has devolved upon me—still, in this instance, representing as I do the feelings of a considerable party in this House, and in the country, at whose desire and with whose cordial sanction and co-operation I have brought forward these resolutions—I thought that it was only respectful to the House that I should tell hon. Gentlemen that if they acceded to this Motion to go into a Committee of the whole House, we were fully prepared with the details of a measure for carrying into effect the remedy which we thought these great grievances required. Under these circumstances, I thought it but ingenuous on my part, and dealing with becoming frankness to the House, if I indicated, in the course of the observations which I made last Thursday, the general results which we wished to achieve. I stated then, as now, that it was our wish that a moiety of this great amount of local taxation for national purposes should be taken off the shoulders of the real property of the country. I laid before the House some figures, the accuracy of which has been acknowledged by the right hon. Gentleman the Chancellor of the Exchequer, and also by the Under Secretary of State for the Home Department—a gentleman fully conversant with all details of this kind. I laid before the House certain figures which showed, that throwing out of the question all reference to the land tax, at present a sum of at least 10,000,000*l.* sterling was raised from a rental of 67,000,000*l.* accorded to the real property of this country—the whole income of the country amounting, according to the last return, to nearly 250,000,000*l.*; that therefore this sum of 10,000,000*l.* was raised upon a sum which was little more than one-fourth of the whole income of the country; that, in fact, three-fourths of the income of the country was privileged property in this respect; and I did say, that our plan was that a moiety of this local taxation should be supplied to the localities by the Consolidated Fund, not for a moment intending that it should be a permanent charge upon that fund; but, as I then expressed—though not bound to have done so, or gone into any description of the details of my plan—I stated then, as now—for this plan has never altered one iota during this discussion—that it would be the duty of the Government to raise that moiety from the 180,000,000*l.* which at present does not contribute to these national purposes. Now, I will show the House, and I will show to the farmers of the country, how this scheme which has been said to have been so completely demolished, would have acted for their benefit. If you had raised the sum of 5,000,000*l.* —half of the local taxation for national purposes—if you had raised that 5,000,000*l.* upon the 180,000,000*l.* which do not contribute anything to these purposes, it would have been done at the rate of 6½*d.* in the pound. I admit that the farmer, for the profits of his trade, would be liable to pay that 6½*d.* in the pound. But let us see how that would work. Upon half the amount of his rent he would pay that 6½*d.* in the pound. Take, for instance, the case of the farmers who signed that petition presented to-night from Bradford in Wiltshire —not that flourishing Bradford which the hon. Member for the West Riding referred to. In that petition it is complained that the rates which the farmers there have to pay are 8*s.* in the pound. Now, look to what could be done for those farmers if these resolutions were allowed to be carried into law. They would rise to-morrow, and feel that they were relieved of half the amount of their rates. They would be relieved of 4*s.* in the pound, and they would have to pay 3¼*d.* in the pound. That is exactly how this proposition would work; and yet this is the plan which was so completely demolished by the right hon. Gentleman the Chancellor of the Exchequer. This is the plan by which, he said, we propose to raise 5,000,000*l.* by one operation, and pay 5,000,000*l.* by another. By the adoption of this plan, property which now contributes nothing for national purposes would bear this portion which now, through my medium, the holders of real property express their willingness to accept. Take the case of a farmer who is not paying a rate of 8*s.* in the pound, but whose rates may not be more than 4*s.* in the pound; he will pay his 3¼*d.* in the pound to the general fund in respect of the privileges which he possessed in not having his personal property assessed to the poor; while he would at the same time be relieved to the amount of 2*s.* in the pound of his rate in respect of the arrangement which at present exists. Is that no relief to the farmer? Observe how admirably this plan would work in places where distress exists to the greatest extent. It is in these that it would give the greatest amount of relief and assistance to those who are struggling under the difficulties consequent upon the recent changes in your legislation. Instead, in such cases, of paying 8*s.* in the pound, the farmer would in future pay only 4*s.*, and he would obtain that amount of relief at the cost, simultaneously, of 3¼*d.* in the pound. That will, then, be the position of the farmer if our plan is carried. Now, so much for the scheme which has been so remarkably misrepresented—a scheme which I maintain, according to the practice of the House, I have not had an opportunity even of placing before its consideration; a scheme which, following the precedent set me by the noble Lord at the head of the Government, I almost feel that I had exceeded the bounds of Parliamentary rule in entering so far as I did into the details of the measure. But, says the right hon. Gentleman the Chancellor of the Exchequer, "You are going to tax the funds; and is it possible that a Gentleman of your ability could have been induced to lay upon the table of the House a programme of this sort, drawn up, I should suppose, by some rash person, for which you have suddenly become responsible? You cannot tax the dividends due to the public creditor, unless you tax every other species of property." Sir, I am myself responsible for any resolutions which I may feel it my duty to place upon this table. I trust that neither upon this nor upon any other occasion shall I ever shrink from any responsibility which may attach to my proceedings in this House. But, Sir, I remember with satisfaction that I have done nothing in this respect but what has been advised and counselled by men second to none in this House for ability and experience. I am gratified that I have done nothing but what has been with the sanction and approval of those Gentlemen with whom it is my happiness and honour to act. If the Chancellor of the Exchequer will allow us to go into Committee, I pledge myself that I will produce a plan which, whatever may be its success, will not be liable to any of the imputations which I have heard from the right hon. Gentleman. I will meet him upon the question of the public dividends, and I will show that if there is any one in this House who has superficially considered this subject—if there is any one who has made a speech without due consideration—it is at least not the person who has now the honour of addressing you. I do not ask you to impose a peculiar tax on the public funds, or to trench in any degree upon the prerogatives of the Sovereign, but I do ask you to do an act of common justice, and to come forward and declare to the people of England what is the spirit of their law—the spirit not only, but the letter. The hon. Gentleman the Under Secretary of State delivered some opinions on the law with respect to the rating of personal property. Anything coming from a Gentleman so accomplished and erudite we must listen to with great respect; but I have the highest authority for stating that the hon. Gentleman is mistaken in the views he has expressed. I say that personal property—by the common law, by the statute law, by the decisions of the courts—is liable to these rates, except that species of personal property which you defend by a fleeting and transitory statute. No evidence could be more precise than that given by your own officer, Mr. Coode, to show that, with the exception of stock in trade, personal property is still liable to every one of these local rates, and this you will be sure to hear every time that this great controversy is revived, which I tell you will never cease till you do us justice. I have shown you that the justice of our case is acknowledged, with the exception of one section of it, by the whole House. I have shown you, also, that the Chancellor of the Exchequer has been fighting with shadows and with the emanations of his own lively imagination. I come now to the third point—is it or is it not true that the tenant will be benefited by this plan? Now, here I have to deal, not with the practice of life, but with the dogmas of the schools. According to these dogmas, I admit that the position speciously taken by the hon. Member for Montrose and his friends is unanswerable. Apply the abstract science of political economy to circumstances which have really nothing of an abstract character, and it is very possible that the result which you announce, and which the Chancellor of the Exchequer says is capable of severe demonstration, is unanswerable. It is susceptible of severe demonstration, but it is susceptible of nothing else. There are disturbing causes in life which baffle the most abstruse calculations, and among these is Time. If cause and effect followed each other as rapidly in real life as they do in the pages of the economists, then I admit that what you say might be perfectly true. If rent rose the moment that the cost of production was diminished, there is no doubt that your theory might be correct. But rent depends on two circumstances—a new proprietor or a new tenant. When either of these occurs, the terms of tenure are adjusted; but these are occasions which happen at rare intervals in the life of any man. Twenty-five years is nothing in the history of a country, but it is a considerable period in the life of an individual; and you may depend upon it—for every man's experience of life will prove it—that the present generation of farmers will enjoy this remission to the full before it becomes absorbed in rent. There seems, Sir, to be a morbid antipathy on the part of hon. Gentlemen opposite to rent under any circumstances. I think, however, that if by any legitimate means we raise the rent of the country we increase its wealth. Hon. Gentlemen opposite, indeed, may contend that the landlords are not a productive class; but in an old country like England there may be useful classes, though they are not productive. If hon. Gentlemen mean to say that they are opposed to the existence of a territorial aristocracy, let them speak out; we shall then know what we have to meet; but I hold that an independent class of landed proprietors is the best security for popular rights, for public order, and for imperial consideration. The Member for the West Riding, in an interesting speech, informed us, that since the repeal of those laws which he so long assailed, the country has really been flourishing, especially in the case of those classes whose interests are so dear to him, and that wages never were higher. But let me ask him, if this be the case, why does it appear, in the last report of the Poor Law Commissioners, that the poor-rates have increased 17 per cent? I know very well what will be the answer of the hon. Gentleman. The hon. Gentleman is a skilful rhetorician; he is never at a loss for an answer; he will appeal to the Members for Wiltshire; he will revive the masquerade of Goatacre; he will ask whether with such a state of rural economy it is matter of surprise that the poor-rates of a country should be increased. But allow me to appeal to an authority which, I suppose, Her Majesty's Ministers will not dispute, and which will have some weight and influence with the country. It is the sixth paragraph in the last report of the Poor Law Commissioners. [An Hon. MEMBER: The date?] The date! Why, you ought to know it by heart. I would apologise to the hon. Member for the abruptness of my answer; I am really much obliged to him for asking for the date of the last report of the Poor Law Commissioners, as it shows the imperfect information on which he has arrived at his conclusions. It is the report of the Poor Law Commissioners for the year 1848, a period when it appears that the land of England bore a burden of 8,160,000*l*. The sixth paragraph in the report runs thus:—

> "It appears that there has been a large increase in the year 1847-48 over 1846-47 in the amount of the poor-rate. This increase has been mainly caused by the general depression which existed in the manufacturing districts, and by the influx of poor persons from Ireland in a state of destitution."

Now that is my answer to the lecture which has been read to the Gentlemen of England by the Member for the West Riding. The increase in the poor-rate is caused by the manufacturing distress of a population which he says is receiving high wages, and by the destitution of Ireland, ruined by the repeal of the corn laws. This is the way in which an unquestionable official authority accounts for the increase of the poor-rates. When you have learned from the Poor Law Commissioners the cause of the deterioration of your rural society—when you hear that it is the distress in the manufacturing districts and the destitution in Ireland which have raised your rates, it is rather too much to be told that you are neglecting your property—that you are ignorant of your duties, and that you are incapable of your functions as legislators. The Member for Montrose has produced an Amendment, and I have heard with astonishment that some Gentlemen from Surrey and Suffolk are about to vote in its favour. They are in favour of the repeal of the malt tax; they sympathise with the suffering holders of real property; and, in order to apply an immediate remedy, they are going to vote for the Amendment of the hon. Gentleman. They have singled out as their leader a Gentleman who by his Amendment offers to remedy their grievances, if they can prove them. That will be a popular proposition—go and vote for it. Go to the hustings and say you supported the Amendment, which has the audacity to express its scepticism of your sufferings at all, and not the resolutions, which would let every farmer in England be freed from half his rates, on condition only that he paid the other half. The right hon. Gentleman the Chancellor of the Exchequer informed us yesterday that there is no country in Europe where land is not more heavily taxed than in England. The right hon. Gentleman, flushed with triumph and fired with victory, felt at that moment of his speech that he might say a good deal. He referred to several foreign countries, and stated, that we could not imagine how much of the income of the country was raised from the land. Why, with respect to some of them, if the revenue be not raised from the land, how could it be raised? How are Sweden and Denmark to raise a revenue but from the land? But the right hon. Gentleman took the case of France, where there are some blended interests, but than which a more agricultural country cannot be found in Christendom. The right hon. Gentleman told us that the revenue raised from the land in France was something enormous. Since the right hon. Gentleman spoke, I have referred to authorities on this subject, and I find that France contributes to the revenue a land tax of 7,500,000*l*. per annum. But we in England do not complain that real property contributes heavily to the revenue—what we say is, that real property not only contributes as the land of France contributes to the general revenue, but that in addition the land of England is forced to raise for the public service 12,000,000*l*., being nearly double the amount of the tax on land in France to the general revenue. If you take the broad facts of the case, they cannot fail to convince. It is amusing for hon. Gentlemen opposite to raise imaginary antagonists, and then to destroy them; but let them meet the facts. I can allow for the heat of debate, and for the natural sympathies of party; but when a nation is suffering, deeply suffering from the distresses occasioned by your false legislation, you ought to meet the case frankly, and not resort to the hackneyed expedients of Parliamentary tacticians. It is a fact, that the fourth of the income of this country is visited with the painful duty of raising a second revenue for the service of the State. It is a fact, that at this moment the greater part of the real property of the country is in a state of unparalleled depression and intolerable suffering. It is a fact, that that state is owing to the changes in your legislation. It is a fact, that that legislation has been changed for the benefit of a particular portion of the community. Do you think that the landed interest will endure it for ever? Do you think that it is so weak, that, like the other victims of your policy, it will submit in silence to the sacrifice? That the people are to suffer without a murmur, and substantiate your theories by being absorbed without a struggle? That is not what we will endure. You must understand that the real property of this country will no longer consent to contribute two public revenues. I say this in no spirit of acerbity or heat. [*A laugh.*] You laugh—I tell you who laugh, that in violent counsels we have advised conciliation. I say that if we had chosen to stimulate the passions of a suffering people, we might have produced very different resolutions to those I have laid on the table. Don't suppose that if you vote against these resolutions to-night, that this controversy is ended. I tell you it is not so. I tell you that we are not to be intimidated by the menaces of the Member for the West Riding. I tell you that the only consequences of your rejection of these resolutions will be a proposition conceived in a severer spirit of justice. Perhaps, by the combination of parties you may extricate yourselves even from that embarrassment, but do not suppose that the suffering landed interest, which for years you have been conspiring to injure—do not suppose, I say, that the various classes of that interest will renounce for a moment their resolve to obtain at your hands those measures of redress and compensation which you now refuse. I tell you that you will, before this Session ends, if you do not do them justice, be appealed to even a third time. You will be appealed to like the unknown envoy in the Roman legend. We shall come a third time; only one book will remain; but on it will be inscribed, "Protected and regenerated England."

Question put. The House divided:—Ayes 394; Noes 70: Majority 324.

List of the AYES.

Abdy, T. N.
Acland, Sir T. D.
Adair, R. A. S.
Adare, Visct.
Adderley, C. B.
Alexander, N.
Anson, hon. Col.
Anson, Visct.
Anstey, T. C.
Arbuthnott, hon. H.
Archdall, Capt. M.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagge, W.
Bagot, hon. W.
Bagshaw, J.
Bailey, J. jun.
Baines, M. T.
Bankes, G.
Baring, rt. hn. Sir F. T.
Baring, T.
Barrington, Visct.
Bellew, R. M.
Bennet, P.
Bentinck, Lord H.
Berkeley, hon. Capt.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Blackstone, W. S.
Blandford, Marq. of
Boldero, H. G.
Bourke, R. S.
Bouverie, hon. E. P.
Boyd, J.
Boyle, hon. Col.
Bramston, T. W.
Brand, T.
Bremridge, R.
Brisco, M.
Broadley, H.
Brocklehurst, J.
Brockman, E. D.
Brooke, Lord
Brooke, Sir A. B.
Brotherton, J.
Browne, R. D.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, E. H.
Burghley, Lord
Burrell, Sir C. M.
Burroughes, H. N.
Buxton, Sir E. N.
Callaghan, D.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cavendish, W. G.
Cayley, E. S.
Chandos, Marq. of
Chaplin, W. J.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Cholmeley, Sir M.
Christopher, R. A.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clive, hon. R. H.
Clive, H. B.
Cobbold, J. C.
Cocks, T. S.
Codrington, Sir W.
Coke, hon. E. K.
Cole, hon. H. A.
Colebrooke, Sir T. E.
Coles, H. B.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. G.
Cubitt, W.
Currie, H.
Currie, R.
Davie, Sir H. R. F.
Davies, D. A. S.
Dawson, hon. T. V.
Denison, W. J.
Disraeli, B.
Divett, E.
Dod, J. W.
Dodd, G.
Douglas, Sir C. E.
Douro, Marq. of
Duckworth, Sir J. T. B.
Duff, G. S.
Duncan, Visct.
Duncan, G.
Duncombe, hon. A.
Duncombe, hon. O.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Du Pre, C. G.
East, Sir J. B.
Ebrington, Visct.
Edwards, H.
Ellice, rt. hon. E.
Ellice, E.
Elliot, hon. J. E.
Enfield, Visct.
Estcourt, J. B.
Evans, W.
Farnham, E. B.
Farrer, J.
Fellowes, E.
Ferguson, Col.
Ferguson, Sir R. A.
Filmer, Sir E.
Fitzwilliam, hon. G. W.
Floyer, J.
Foley, J. H. H.
Forbes, W.
Fordyce, A. D.
Forester, hon. G. C. W.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, S. W. L.
Freestun, Col.
Galway, Visct.
Gaskell, J. M.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Goddard, A. L.
Gordon, Adm.
Gore, W. O.
Gore, W. R. O.
Goulburn, rt hon. H.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Granby, Marq. of
Granger, T. C.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grogan, E.
Grosvenor, Earl
Gwyn, H.
Haggitt, F. R.
Hale, R. B.

Halford, Sir H.
Hall, Col.
Hallyburton, Lord J. F.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Harcourt, G. G.
Harris, hon. Capt.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, rt. hon. W. G.
Headlam, T. E.
Heald, J.
Heathcoat, J.
Heathcote, G. J.
Heneage, G. H. W.
Henley, J. W.
Herbert, H. A.
Herbert, rt. hon. S.
Herries, rt. hon. J. C.
Hervey, Lord A.
Hildyard, R. C.
Hildyard, T. B. T.
Hill, Lord E.
Hill, Lord M.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Hodgson, W. N.
Hogg, Sir J. W.
Hood, Sir A.
Hope, A.
Hotham, Lord
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, hon. E. G. G.
Howard, P. H.
Howard, Sir R.
Hutt, W.
Jermyn, Earl
Jervis, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Keppel, hon. G. T.
Ker, R.
Kerrison, Sir E.
Kildare, Marq. of
Knight, F. W.
Knightley, Sir C.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Legh, G. C.
Lemon, Sir C.
Lennard, T. B.
Lennox, Lord H. G.
Leslie, C. P.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lewisham, Visct.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, H.
Lygon, hon. Gen.
Mackinnon, W. A.
Macnamara, Maj.
M'Cullagh, W. T.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Mandeville, Visct.
Mangles, R. D.
Manners, Lord C. S.
Manners, Lord G.
March, Earl of
Marshall, J. G.
Marshall, W.
Martin, C. W.
Martin, S.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Maunsell, T. P.
Melgund, Visct.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Milner, W. M. E.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Monsell, W.
Moody, C. A.
Moore, G. H.
Morgan, O.
Morison, Sir W.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Mullings, J. R.
Muntz, G. F.
Napier, J.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Noel, hon. G. J.
Norreys, Lord
Nugent, Sir P.
O'Brien, Sir L.
O'Brien, T.
O'Connell, M. J.
Ord, W.
Ossulston, Lord
Packe, C. W.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmer, R.
Palmerston, Visct.
Parker, J.
Peel, rt. hon. Sir R.
Peel, F.
Philips, Sir G. R.
Pigot, Sir R.
Pinney, W.
Plowden, W. H. C.
Powell, Col.
Prime, R.
Pryse, P.
Pugh, D.
Pusey, P.
Reid, Col.
Renton, J. C.
Repton, G. W. J.
Ricardo, O.
Richards, R.
Robinson, G. R.
Roche, E. B.
Rolleston, Col.
Romilly, Sir J.
Rufford, F.
Rumbold, C. E.
Rushout, Capt.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Sandars, J.
Scott, hon. F.
Scrope, G. P.
Seymer, H. K.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Shirley, E. J.
Sibthorp, Col.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smyth, Sir H.
Smyth, J. G.
Somerset, Capt.
Somerton, Visct.
Somerville, rt. hon. Sir W.
Sotheron, T. H. S.
Spearman, H. J.
Spooner, R.
Stafford, A.
Stanley, E.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, Lord J.
Stuart, H.
Stuart, J.
Sutton, J. H. M.
Talbot, J. H.
Tancred, H. W.
Taylor, T. E.
Tenison, E. K.
Tennent, R. J.
Thesiger, Sir F.
Thicknesse, R. A.
Thompson, Col.
Thompson, Ald.
Thornely, T.
Tollemache, J.
Towneley, J.
Townley, R. G.
Townshend, Capt.
Traill, G.
Trelawny, J. S.
Trevor, hon. G. R.
Trollope, Sir J.
Tufnell, H.
Turner, G. J.
Tynte, Col. C. J. K.
Tyrell, Sir J. T.
Vane, Lord H.
Verner, Sir W.
Vivian, J. E.
Vivian, J. H.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Wall, C. B.
Walpole, S. H.
Walsh, Sir J. B.
Walter, J.
Ward, H. G.
Watkins, Col. L.
Welby, G. E.
West, F. R.
Williams, T. P.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wodehouse, E.
Wood, rt. hon. Sir C.
Worcester, Marq. of
Wortley, rt. hon. J. S.
Wrightson, W. B.
Wynn, rt. hon. C. W. W.
Wynn, Sir W. W.
Wyvill, M.
Young, Sir J.

TELLERS.

Beresford, W.
Mackenzie, W. F.

List of the NOES.

Aglionby, H. A.
Anderson, A.
Bass, M. T.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Blewitt, R. J.
Bright, J.
Brown, H.
Brown, W.
Bulkeley, Sir R. B. W.
Clay, J.
Cowan, C.
Dashwood, G. H.
Devereux, J. T.
D'Eyncourt, rt. hn. C. T.
Duke, Sir J.
Ellis, J.
Ewart, W.
Fagan, W.
Fergus, J.
Fox, W. J.
Frewen, C. H.
Fuller, A. E.
Gibson, rt. hon. T. M.
Greene, J.
Hardcastle, J. A.
Harris, R.
Hastie, A.
Henry, A.
Heywood, J.
Heyworth, L.
Hindley, C.
Hollond, R.
Humphery, Ald.
Jackson, W.
Kershaw, J.
King, hon. P. J. L.
Lawless, hon. C.
Lushington, C.
M'Gregor, J.
Molesworth, Sir W.
Mowatt, F.
Nugent, Lord
O'Connell, J.
O'Connor, F.
Ogle, S. C. H.

Osborne, R.
Pearson, C.
Pechell, Capt.
Perfect, R.
Peto, S. M.
Pigott, F.
Pilkington, J.
Rendlesham, Lord
Reynolds, J.
Ricardo, J. L.
Robartes, T. J. A.
Salwey, Col.
Scholefield, W.
Smith, J. B.
Stuart, Lord D.
Thompson, G.
Walmsley, Sir J.
Wawn, J. T.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Willyams, H.
Wood, W. P.
Wyld, J.

TELLERS.

Hume, J.
Cobden, R.

Main Question put. The House divided:—Ayes 189; Noes 280: Majority 91.

List of the Ayes.

Acland, Sir T. D.
Adderley, C. B.
Alexander, N.
Anson, Visct.
Anstey, T. C.
Arbuthnott, hon. H.
Archdall, Capt. M.
Bagge, W.
Bagot, hon. W.
Bailey, J. jun.
Bankes, G.
Baring, T.
Barrington, Visct.
Bennet, P.
Bentinck, Lord H.
Blackall, S. W.
Blackstone, W. S.
Blandford, Marq. of
Boldero, H. G.
Bourke, R. S.
Bramston, T. W.
Bremridge, R.
Brisco, M.
Broadley, H.
Brooke, Lord
Brooke, Sir A. B.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Burghley, Lord
Burrell, Sir C. M.
Burroughes, H. N.
Carew, W. H. P.
Cayley, E. S.
Chandos, Marq. of
Chichester, Lord J. L.
Cholmeley, Sir M.
Christopher, R. A.
Clive, hon. R. H.
Clive, H. B.
Cobbold, J. C.
Cocks, T. S.
Codrington, Sir W.
Cole, hon. H. A.
Coles, H. B.
Cubitt, W.
Currie, H.
Davies, D. A. S.
Denison, W. J.
Disraeli, B.
Dod, J. W.
Dodd, G.
Duckworth, Sir J. T. B.
Duncombe, hon. A.
Duncombe, hon. O.
Dunne, F. P.
Du Pre, C. G.
East, Sir J. B.
Edwards, H.
Estcourt, J. B. B.
Farnham, E. B.
Farrer, J.
Fellowes, E.
Filmer, Sir E.
Floyer, J.
Forbes, W.
Forester, hon. G. C. W.
Fox, S. W. L.
Frewen, C. H.
Fuller, A. E.
Galway, Visct.
Gaskell, J. M.
Goddard, A. L.
Gordon, Adm.
Gore, W. O.
Gore, W. R. O.
Granby, Marq. of
Grogan, E.
Gwyn, H.
Haggitt, F. R.
Hale, R. B.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Harris, hon. Capt.
Heathcote, G. J.
Heneage, G. H. W.
Henley, J. W.
Herbert, H. A.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hill, Lord E.
Hodges, T. L.
Hodgson, W. N.
Hood, Sir A.
Hope, A.
Hotham, Lord
Jolliffe, Sir W. G. H.
Jones, Capt.
Ker, R.
Kerrison, Sir E.
Knight, F. W.
Knightley, Sir C.
Lennox, Lord H. G.
Leslie, C. P.
Lewisham, Visct.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, H.
Lygon, hon. Gen.
Macnamara, Maj.
Mandeville, Visct.
Manners, Lord C. S.
Manners, Lord G.
March, Earl of
Maunsell, T. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Moody, C. A.
Moore, G. H.
Morgan, O.
Mullings, J. R.
Muntz, G. F.
Napier, J.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Noel, hon. G. J.
Nugent, Sir P.
O'Brien, Sir L.
Ossulston, Lord
Packe, C. W.
Palmer, R.
Pigot, Sir R.
Plowden, W. H. C.
Powell, Col.
Prime, R.
Pugh, D.
Rendlesham, Lord
Renton, J. C.
Repton, G. W. J.
Richards, R.
Robinson, G. R.
Rolleston, Col.
Rufford, F.
Rushout, Capt.
Scott, hon. F.
Seymer, H. K.
Shirley, E. J.
Sibthorp, Col.
Smyth, Sir H.
Smyth, J. G.
Somerset, Capt.
Somerton, Vist.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stanley, E.
Stuart, H.
Stuart, J.
Sullivan, M.
Sutton, J. H. M.
Taylor, T. E.
Tenison, E. K.
Thompson, Ald.
Tollemache, J.
Townley, R. G.
Trevor, hon. G. R.
Trollope, Sir J.
Tyrell, Sir J. T.
Verner, Sir W.
Vivian, J. E.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Walpole, S. H.
Walsh, Sir J. B.
Welby, G. E.
West, F. R.
Williams, T. P.
Willoughby, Sir H.
Wodehouse, E.
Worcester, Marq. of
Wynn, Sir W. W.

TELLERS.

Beresford, W.
Mackenzie, W. F.

List of the Noes.

Abdy, T. N.
Adair, R. A. S.
Adare, Visct.
Aglionby, H. A.
Anderson, A.
Anson, hon. Col.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagshaw, J.
Baines, M. T.
Baring, rt. hon. Sir F. T.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Bernal, R.
Birch, Sir T. B.
Blewitt, R. J.
Bouverie, hon. E. P.
Boyd, J.
Boyle, hon. Col.
Brand, T.
Bright, J.
Brocklehurst, J.
Brockman, E. D.
Brotherton, J.
Brown, H.
Brown, W.
Browne, R. D.
Bulkeley, Sir R. B. W.
Bunbury, E. H.
Buxton, Sir E. N.
Callaghan, D.
Campbell, hon. W. F.
Cardwell, E.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cavendish, W. G.
Chaplin, W. J.
Charteris, hon. F.
Childers, J. W.
Clay, J.
Clay, Sir W.
Clements, hon. C. S
Clerk, rt. hon. Sir G.
Cobden, R.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Corry, rt. hon. H. L.
Cowan, C.
Cowper, hon. W. F.
Craig, W. G.
Currie, R.

Dashwood, G. H.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Devereux, J. T.
D'Eyncourt, rt. hon. C. T.
Divett, E.
Douglas, Sir C. E.
Douro, Marq. of
Duff, G. S.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellice, E.
Ellis, J.
Elliot, hon. J. E.
Enfield, Visct.
Evans, Sir D. L.
Evans, W.
Ewart, W.
Fagan, W.
Fergus, J.
Ferguson, Col.
Ferguson, Sir R. A.
Fitzwilliam, hon. G. W.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Freestun, Col.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Glyn, G. C.
Goulburn, rt. hon. H.
Grace, O. D. J.
Graham, rt hon. Sir J.
Granger, T. C.
Greene, J.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Earl
Hallyburton, Ld. J. F. G.
Harcourt, G. G.
Hardcastle, J. A.
Harris, R.
Hastie, A.
Hastie, A.
Hawes, B.
Hay, Lord J.
Hayter, rt. hon. W. G.
Headlam, T. E.
Heald, J.
Heathcoat, J.
Henry, A.
Herbert, rt. hon. S.
Hervey, Lord A.
Heywood, J.
Heyworth, L.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hogg, Sir J. W.
Hollond, R.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, hon. E. G. G.
Howard, P. H.
Howard, Sir R.
Hume, J.
Humphery, Ald.
Hutt, W.
Jackson, W.
Jermyn, Earl
Jervis, Sir J.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
King, hon. P. J. L.
Labouchere, rt. hon. H.
Langston, J. H.
Lawless, hon. C.
Lascelles, hon. W. S.
Legh, G. C.
Lemon, Sir C.
Lennard, T. B.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Lushington, C.
Mackinnon, W. A.
M'Cullagh, W. T.
M'Gregor, J.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Mangles, R. D.
Marshall, J. G.
Marshall, W.
Martin, C. W.
Martin, S.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Monsell, W.
Morison, Sir W.
Mostyn, hon. E. M. L.
Mowatt, F.
Mulgrave, Earl of
Norreys, Lord
Nugent, Lord
O'Brien, T.
O'Connell, J.
O'Connell, M. J.
O'Connor, F.
Ogle, S. C. H.
Ord, W.
Osborne, R.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pechell, Capt.
Peel, rt. hon. Sir R.
Peel, F.
Perfect, R.
Peto, S. M.
Philips, Sir G. R.
Pigott, F.
Pilkington, J.
Pinney, W.
Pryse, P.
Pusey, P.
Reid, Col.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Rice, E. B.
Rich, H.
Robartes, T. J. A.
Roche, E. B.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Salwey, Col.
Sandars, J.
Scholefield, W.
Scrope, G. P.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smith, J. B.
Somerville, rt. hon. Sir W.
Spearman, H. J.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, Lord D.
Stuart, Lord J.
Talbot, J. H.
Tancred, H. W.
Tennent, R. J.
Thesiger, Sir F.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Towneley, J.
Townshend, Capt.
Traill, G.
Trelawny, J. S.
Turner, G. J.
Tynte, Col. C. J. K.
Vane, Lord H.
Vivian, J. H.
Wall, C. B.
Walmsley, Sir J.
Walter, J.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Willyams, H.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wortley, rt. hon. J. S.
Wrightson, W. B.
Wyld, J.
Wynn, rt. hon. C. W. W.
Wyvill, M.
Young, Sir J.

TELLERS.
Tufnell, H.
Hill, Lord M.

The House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Friday, March 16, 1849.

MINUTES. PUBLIC BILLS.—2^a Overseers (Cities and Boroughs).

PETITIONS PRESENTED. From Clergy and Laity of the Church, that Article 11, Sect. 3, Cap. 2, may be Expunged from the Criminal Law Consolidation Bill. — From Roscommon, and a Number of other Places, against the Operations of the present Poor Law (Ireland), and also against the Proposed Rate in Aid.—From Maldon, and Bradford, Yorkshire, for the Adoption of such Measures as shall secure to Clergymen Seceding from the Church the full Benefits of the Act of Toleration.—From Cork, for the Enactment of Sanitary Measures.—Also from the same Place, for the Establishment of an Accurate Registry of Births, Deaths, and Marriages in Ireland.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, March 16, 1849.

MINUTES.] PUBLIC BILLS.—1^o Cattle and Sheep (Ireland); Tenants at Rack Rent Relief.

Reported.—Insolvent Members.

PETITIONS PRESENTED. By Mr. Hume, from the Parish of St. Luke, Finsbury, for the Adoption of Universal

Suffrage.—By Mr. Adderley, from the Parish of Leigh, in the County of Stafford, and by several Hon. Members, from a Number of Places, against the Marriages Bill.—By Mr. Cumming Bruce, from Ministers and Others, of the Presbytery of Edinburgh, against the Marriage (Scotland) Bill.—By Mr. Armstrong, from Attorneys and Others, residing in Lancashire, and by Viscount Mahon, from Hertford, for a Repeal of the Duty on Attorneys' Certificates.—By Mr. Pole Carew, from Owners and Occupiers of Land in the Hundred of East, in the County of Cornwall, for a Revision of Local Taxation.—By Mr. J. B. Smith, from the Royal Burgh of Dunfermline, for a Reduction in the Naval and Military Expenditure.—By Mr. E. Ellice, from the Royal Burgh of Cupar, for a Reduction in the Public Expenditure.—By Mr. Baines, from the Guardians of the Biggleswade Union, in the County of Bedford, for Rating Owners in lieu of Occupiers of Tenements.—By Mr. Hume, from the Baptist Congregation at Newbury, for Reduction of the Duties on Tea, Sugar, &c.—By Mr. Bourke, from the Grand Jury of Sligo, respecting Depredations by Killing Cattle, Sheep, &c.—By Mr. Alexander Hastie, from Glasgow, complaining of the Influx of Irish Paupers.—By Mr. Hume, from Peter Murray M'Douall, complaining of Undeserved Imprisonment, and praying for Redress.—By Mr. Clay, from Kingston-upon-Hull, against, and by Mr. Henry from Inhabitants of St. Helen's, in favour of, the Navigation Bill.—By Mr. Hume, from several Out-Pensioners of Chelsea Hospital, residing at Chippenham, and its Vicinity, complaining of Deductions from their Half-Pay.—From a Public Meeting, held at the National Hall, Holborn, for an Alteration of the Poor Law.—By Sir William Verner, from the Ratepayers of the Lurgan Union, in the Counties of Armagh, Down, and Antrim, against the Proposed Rate in Aid (Ireland).—By Sir J. Hope, from Ministers, and Others, of Edinburgh, against the Registering Births, &c. (Scotland) Bill.—By Mr. Clements, from the Grand Jury of Leitrim, for an Alteration of the Act for the Improvement of the River Shannon.—From several Hon. Members, from a Number of Places, for Referring War Disputes to Arbitration.

RAILWAY CASUALTY COMPENSATION COMPANY.

Upon the Order of the Day being read, the House went into Committee; Mr. BERNAL in the chair.

Resolution read—

"That a per-centage Duty of $5l.$ for every $100l.$ of all sums received by the Railway Passengers' Assurance Company, in respect of Insurances against loss of life or personal injury to persons travelling by Railway, shall be payable in lieu of any Stamp Duty which would otherwise by Law be payable upon any Policy, Contract, or Ticket of Insurance issued by such Company."

MR. HUME said, he did not understand the nature of this Bill, and that it was very desirable the House should be made acquainted with its provisions before they granted extraordinary powers to any party.

MR. WILSON PATTEN observed, that the resolution was only proposed in Committee as matter of form, merely to comply with the rules of the House.

MR. BROWN said, its main design was to insure the lives of passengers by railway, and to grant them compensation in case of injury or accident. It proposed to obviate the difficulty of paying stamp duties in every case by paying 5 per cent on the receipts; and this would be done upon an understanding come to between the company and the Stamp Office.

MR. HUME thought that if the Bill were intended to affect all the railroads in the country, the measure ought to be a general one, and the benefits ought not to be confined to one company.

MR. BROWN stated, that it was optional with any other assurance company to obtain a similar Bill if they pleased.

MR. HENLEY agreed with the hon. Member for Montrose, that it was most difficult to understand the measure. The proceeding seemed to be a most unusual one, for it was almost without precedent that the House should have gone into Committee of the whole House for what appeared to him to be a sort of private purpose.

The CHAIRMAN said, the Bill empowered certain parties to be incorporated, for the purpose of insuring the lives and limbs of passengers by railway carriages, and of enabling the company, instead of paying separate stamp duties, to compromise with the Stamp Office, by handing over 5 per cent upon their receipts. This was the drift of the Bill; and, before it was considered by the Committee upstairs, it was necessary that the resolution now proposed should have the sanction of a Committee of the whole House.

The MARQUESS of GRANBY said, that no danger would accrue to the public revenue from the passing of the measure.

MR. FORSTER was of opinion that, so far from being injured, the public revenue would be benefited by the adoption of the resolution.

MR. HENLEY declared, that his objections to the whole proceeding had not in the slightest degree been removed by the explanations given. He considered it a public matter, which ought to be settled at the time of public business, and that in going into Committee of the whole House upon it they were laying down a dangerous precedent.

MR. J. O'CONNELL thought it would clear away much of the difficulty which surrounded the matter if the right hon. Gentleman the Member for Hampshire would state his views of the Bill to the House.

MR. SPEAKER said, that he was responsible for the course the promoters of the Bill had pursued. In the first instance, the resolution now under consideration had stood part of the Bill, but he had advised it to be struck out and brought before a Committee of the whole House. If it were now passed, it would be for the Committee upstairs to consider whether it was for the public advantage that it should be retained; but, in any case, the House would hereafter be afforded an opportunity of considering the report, so that at present they were not committing themselves in any respect.

Resolution agreed to.

Resolution to be reported on Monday next, at the time of Private Business.

The CHAIRMAN reported progress, and the House resumed.

THE LANCASHIRE AND YORKSHIRE AND THE EAST LANCASHIRE RAILWAYS.

The EARL of ARUNDEL AND SURREY wished to put a question to the right hon. Gentleman at the head of the Railway Board. In consequence of a dispute between the Lancashire and Yorkshire Railway Company and the East Lancashire Company, a disgraceful scene had occurred at Clifton on the 12th of this month. He begged to ask whether the matter had been brought under the notice of the right hon. Gentleman?

MR. LABOUCHERE, replied that the power vested in the Railway Commissioners with respect to matters of this description was as follows:—The Board had the power of interfering, so far as might be necessary for the protection of the public safety, on an application from either of the parties. One of these companies had sent a statement to the Railway Commissioners, but it was not such a statement as the Commissioners could act upon. The Commissioners had written to the company, stating that upon receiving such an application the Board would take such steps as were necessary for the protection of the public safety.

The EARL of ARUNDEL AND SURREY: Do I understand the right hon. Gentleman to say that the Commissioners have no right to interfere where the lives of the public are in jeopardy?

MR. LABOUCHERE: I believe they have no right to interfere except on application. We have intimated that if this application is made we will interfere. Of course, in the event of any breach of the law being committed, the case can be dealt with by the magistrates.

Subject at an end.

NAPLES AND SICILY.

MR. URQUHART begged to ask the Foreign Secretary whether the accuracy of statements made by him to the House had been impugned by the Government of the King of the Two Sicilies? Whether any communication on the subject had passed between the two Governments? Whether he would put the House in possession of such communications?

VISCOUNT PALMERSTON replied that, strictly speaking, he might say no contradiction had been given to the statements made in that House. But it was well known that General Filangieri, in a speech in the Neapolitan Parliament, did contradict statements which had been made by Her Majesty's Ministers with respect to the movement of the Neapolitan troops in Sicily. He had engaged to lay before Parliament the papers on which those statements were founded. He regretted that the great pressure of business had prevented him from doing so; but he hoped to be able to lay them on the table early next week.

MR. URQUHART remarked that his question related to Lord Minto's visit to Naples.

VISCOUNT PALMERSTON reminded the hon. Gentleman that the statements said to be impugned had not been clearly specified, and was understood to say that the Neapolitan Minister at this Court had pointed out to him that he had made an inaccurate statement as to a conversation which had passed between them on the subject of Lord Minto's visiting Naples.

Subject dropped.

POOR LAWS—LAW OF SETTLEMENT.

SIR J. PAKINGTON asked if there was any intention of altering the law respecting the settlement of the poor, parochial rating, or vagrancy?

MR. BAINES said, that the question of settlement had been fully discussed by the Committee that sat upon it some time time ago. His predecesssor had, moreover, instituted an inquiry of a very comprehensive nature in different districts, for the purpose of ascertaining the way in which the law of settlement operated, and also of seeing what remedy might best be supplied for the evils connected with it. But the results were not yet known in some cases, and in others not yet prepared; and, considering their complexity, and that no measure on the subject ought to be prepared without full consideration, he thought that no measure on the general law of settlement would be introduced this Session. The question, however, was receiving the deepest attention in the department he had the honour to represent. Neither was it intended to legislate with respect to parochial rates, which had a close connexion with the question of settlement, further than this—he would move for leave to re-introduce the measure which was passed last Session for one year — the Union Charges Bill, with such alterations as the experience of its working suggested. With respect to vagrancy, he was happy to say that the measure passed last year had already had the effect of greatly diminishing vagrancy throughout the country. Although there were still many complaints, he believed that the evil was materially abated. The Commissioners of the Poor Law were not of opinion that there should be any material alteration made in the law, and still less that they should interfere with the principle of subjecting professional mendicants to punishment, while they preserved the right of relief to the real mendicant. In those districts, the county of Essex for instance, where there was a good rural police vigorously executing their powers and zealously endeavouring to discriminate between cases of genuine and fictitious destitution—in those places the evil had been greatly reduced, and the number of vagrants diminished.

MR. WILSON PATTEN wished to know when the Bill to which the hon. Gentleman had referred would be introduced. He was anxious to know whether it would be introduced before Easter or not.

MR. BAINES said, that the measure would not be introduced before Easter.

MR. HUME wished to know whether, in the course of the present year, they might expect any reduction in the large amount that was now appropriated for the support of the Poor Law Board.

MR. BAINES said, that if the hon. Gentleman would give notice of his intention to put the question on a certain day, he would give him an answer.

MR. HUME said, that he would put his question on Monday next.

Subject at an end.

ANTIGUA.

MR. MACKINNON, seeing the Chancellor of the Exchequer in his place, wished to put to him a question relative to Antigua. A few years ago an earthquake took place in Antigua; and, in consequence, a loan of 100,000*l.* had been made to them, payable, with interest, by half-yearly instalments. He wished to know when the first half-yearly instalment was expected, and whether more than the interest would be paid?

The CHANCELLOR OF THE EXCHEQUER said, that a loan of upwards of 100,000*l.* had been advanced to persons whose property had been injured a few years ago by an earthquake at the island of Antigua. The principal was to be repaid by regular instalments, and there were to be half-yearly payments of interest. Last year he (the Chancellor of the Exchequer) had introduced an Act for postponing the repayments of the principal; but the half-yearly payments of interest were left untouched by the measure.

SCHLESWIG-HOLSTEIN.

In reply to a question from MR. SANDARS,

VISCOUNT PALMERSTON said, that since he answered the question of the hon. Gentleman, put to him a few days ago, he had received information of the intention of the Danish Government, on and after the 27th instant, to impose a blockade on the ports of Schleswig and Holstein. The matter, however, was still under discussion, and he (Viscount Palmerston) was not without hopes that the intention to impose the blockade might be abandoned. He thought at all events it would be only nominal for some time after the date announced. He could only say that such a blockade would not be in entire accordance with the communications previously made to Prussia, announcing the end of the armistice.

SUPPLY—ANNUAL BUDGET.

On the Question that Mr. Speaker leave the chair, for going into a Committee of Supply,

MR. HUME said, that as the new rules of the House precluded him from bringing forward the two Motions which stood on the Paper, he should abandon for the present that which called upon the House to adopt means to prevent the repeated explosions from fire damp in coal mines, and bring it forward on an early occasion, as he considered it of great importance. The other Motion, which bore more especially on the subject of the estimates, he would now proceed with. He had hoped that Her Majesty's Ministers would not have rendered such a Motion necessary, but would have, in accordance with much previous practice, and more particularly at a moment like the present, have made their annual financial statement. Being reluctant to do so, he thought it was the duty of the House to enforce it. If there was anything unusual or unconstitutional in such a course, he would not press it on the House. But it had been adopted by different Administrations, and he was the more inclined to demand it now, when he recollected that last year they had three, if not four, financial statements before they obtained any general statement of the expected income and expenditure of the country. It was easy for Ministers to calculate within half a million what they expected the revenue to be, and they ought, at least, to have made up their minds as to the expenditure. They received the accounts for the several departments in December, and ought to be in a position to do so. Considering that they had been for some years wasting the capital of the country, and that, at the end of last Session, they were under the necessity of borrowing 2,000,000*l.*, it did appear to him that the first act of the Government before they asked the House to vote one shilling for the expenditure of the country, ought to have been to have stated what the revenue was to be, which they had ample time to ascertain, and what the expenditure, in order that the House might be in a position to decide whether it might not be advisable to effect a reduction of the public burdens. If Ministers were unwilling to make that statement, he must only conclude either that they had not yet made up their minds what the expenditure was to be, or were afraid to set before the public the amount. If hon. Members would only consider that their duty in that House towards the public was to act as trustees for the public funds, in the same way that they would act, if they were prudent men, for themselves, he was sure they would admit the justice of his Motion. The question was no party one, and he addressed himself alike to Whigs, Tories, and Radicals, when he called upon them, as honest and discreet trustees, to act towards the public in the supervision of expenditure, as they would in affairs of their own. He might be told that what he demanded was unusual. If it had never taken place before, he should say that such had been the waste and extravagance, and so heavy the burden of taxation, that the present was the moment when they ought to adopt such a course. It was never too late to do well; but they had numerous precedents for it. The first act of the Whig Government, on acceding to office in 1830, was to introduce a budget. On the 11th of February, Lord Althorp said he considered it his duty to the House to lay before them not only the revenue, but the expenditure, and all charges which the Government intended making. It might be objected that the estimates were not all on the table of the House. But Lord Althorp said, on that occasion, that, although the whole estimates were not on the table, he was anxious to state what reductions Her Majesty's Government had made, and what they intended to do. He wished the present Government would follow that example. Lord Althorp then stated the amount of taxes at 50,000,000*l.* Last year it was upwards of 59,000,000*l.*, showing an increase of taxation of nearly 10,000,000*l.*, although the noble Lord at the head of the Government declared, in 1830, that retrenchment, non-interference with foreign States, economy, and reform, were to be the grounds and principles upon which the Government was to act. That declaration, which was repeated in the other House by Earl Grey, gave great satisfaction to the country at the time. It was acted on by Lord Althorp, but abandoned by succeeding Administrations until now, when, instead of enjoying that relief from taxation which a time of peace ought to give, we were burdened with 10,000,000*l.* additional. Now, he said, Lord Althorp, and the Whig Government of that day, having adopted that course before calling on the House to vote one single shilling, the House was bound to call upon Her Majesty's present Government to do the same. Much, however, of the objection which he entertained to the expenditure of the Government with which Lord Althorp was connected was at that time relaxed, because the Government were carrying on measures of reform calculated to benefit the people. He confessed, however, that his hon. Friend behind him was right when he had stated that he (Mr. Hume) had been "hoodwinked," and that, in fact, the House and the country had been induced to assent to that increased expenditure in the same way as Samson's locks had been shorn by Delilah. Now, Lord Althorp made his statement on the 11th of February, and did not move his estimates until the 18th, when the House had before them a full statement of the expected revenue and expenditure of the country, and were, therefore, in a much better position to consider those estimates. That precedent alone justified his present Motion. But he was fortified by others. In 1841 the budget was brought forward on the 14th of February; the first estimate voted was on the 1st of March. In 1846, the budget was introduced on the 29th of May, and no estimate taken till the 24th July. In 1847, the budget was brought forward on the 22nd February, the first estimate on the 1st of March; and last year, on the 18th of February, the noble Lord, in a most elaborate speech, introduced his never-to-be-forgotten budget, but did not ask for a vote of money until the 20th. A storm then arose, and led to results which proved of what squeezable materials Governments were made. Whig or Tory, it was all alike; and he called upon every Member who was anxious to relieve the country from its heavy burdens, to aid him in putting the screw upon the present Government with that object. It was complained by some hon. Gentlemen that he and his hon. Friend the Member for the West Riding of Yorkshire were proposing to take off taxes without providing the means. Now, the noble Lord, in his budget of last year, gave them the following estimate:—

	£.	£.
Funded Debt	27,778,000	
Unfunded do.	752,600	
		28,530,600
Consolidated Fund charges		2,750,000
Kafir war	1,100,000	
Naval excess last year	245,000	
		1,345,000
Navy	7,726,610	
Army	7,162,996	
Ordnance	2,924,838	
Miscellaneous	4,006,000	
		21,820,444
		54,446,044
Militia		150,000
Total		54,596,044

In eighteen years from the time Lord Althorp introduced his Motion, what had we arrived at? With the Reform Bill, he had hoped to obtain a proper check on expenditure; he would never have asked for reform of that House, but that there might be a stricter and more careful consideration of the interests of the community at large, in respect, first, to that which immediately touched every man—the finances of the country—and then in respect to those other matters on which the prosperity and happiness of the country depended. He regretted not the efforts he had made to obtain reform. By the Reform Bill, power had been wrested from the boroughmongers, and given to the Crown; for neither King nor Queen could then rule this country but through the oligarchy, who then had power. That power had been placed in the hands of the middle-class electors; and if they had neglected their duty, he was glad they were made to smart for it. He wished he could throw the whole weight of the taxation on those corrupt men who had sacrificed the trust reposed in them, and had suffered the country to labour under a taxation of 59,000,000*l.* sterling. Adding to this the 12,000,000*l.* of which the hon. Member for Bucks complained, with other items, it need not be matter of surprise that this country was in difficulties with such an enormous amount taken from its industry. The time was come for the public to open their eyes; already there was a glimmering of light from Liverpool, which he hoped would rapidly spread and enlighten all the boroughs and counties in the kingdom. The House was, therefore, called on to ask the Government to do that which had been done of their own accord by Lord Althorp, and also by the right hon. Baronet the Member for Tamworth, who, in his statement on the 14th of February, 1845, said—

> "Whatever might be the precedents, and whatever might be the ordinary course as to financial statements, he felt he had no alternative but, at the earliest day, to submit to the House and the country the general views of Her Majesty's Government with respect to our financial position and our future commercial policy. Sir, it will be my duty to present to the House a general view of the present financial position of the country, to make an estimate of the probable revenue, and to discuss the great question, whether it be consistent with the public interest that the present amount of expenditure should be retained."

He wanted the Government now to do the same—to follow this good example, and to ask the House, after stating the amount of the proposed expenditure, whether it was fit it should be maintained? In asking this, he asked nothing unreasonable. No man could be the worse for having before him a fair debtor and creditor account. If the Government had made out a balance-sheet, let them produce it; if not, let them be compelled to make one. The right hon. Baronet proceeded—

> "I will first give you an estimate of the finan-

cial expenditure made by the Chancellor of the Exchequer last year. The revenue estimate was 51,790,000*l.*; the expenditure, 48,643,000*l*,; leaving a surplus of 3,147,000*l.* By the balance-sheet of 5th January, 1845, the surplus was 3,357,000*l.*, and the revenue was 54,003,000*l.*

Every one who heard that statement must have approved of it. The country Gentlemen seemed to fancy that he (Mr. Hume) was no friend to the farmers; but he would give them a piece of good advice. Let them lay aside all party feeling, and discuss this matter as one in which they were all alike interested. They ought to do so for their own interests, for they were likely to want relief before long, and the only way in which they could obtain it was by a large reduction of taxation. He would not now enter into the question of establishments; that would be for subsequent consideration. He should take the sense of the House on his Motion; and if he fortunately succeeded in carrying it, Government would only have to postpone the estimates until they had made up such an account as he desired. At the same time, not being anxious to throw difficulties in their way, he should be happy to vote a reasonable sum on account until this statement was before the House. The hon. Member concluded by moving the Amendment of which he had given notice.

Motion made, and Question proposed, "That Mr. Speaker do now leave the chair."

Amendment proposed—

"To leave out from the word 'That' to the end of the Question, in order to add the words, 'in the present state of the Finances of the Country, Her Majesty's Ministers, before calling on this House to vote the Estimates for the Public Service, should submit a general financial Statement of the whole or expected Revenues, and the total intended Expenditure for the ensuing financial years.'"

Sir H. WILLOUGHBY seconded the Motion, and felt much pleasure in being able to adopt that course of proceeding. When the hon. Gentleman the Member for Montrose proposed to reduce so many millions of taxation, he (Sir H. Willoughby) was not able to see into what way that course would lead him, and consequently, must decline to vote with the hon. Gentleman; but when he made a Motion to effect an economical administration of the public finances, then he had great pleasure in following him. He thought the hon. Gentleman the Member for Montrose had settled the question of precedent; and, therefore, he should not refer to the course taken either by Sir Robert Peel, Lord Althorp, or Lord John Russell, but should proceed to state the reasons that, in his mind, furnished a justification for the course pointed out by the hon. Gentleman the Member for Montrose. His first reason for following in that course was to be found in what had happened during the last Session of Parliament. After a variety of statements, the financial policy adopted consisted in running more deeply into debt. The only ray of light which had been thrown upon their finances was thrown upon them during the debate on the Motion of the hon. Gentleman the Member for the West Riding of Yorkshire. On that occasion the right hon. Gentleman the Chancellor of the Exchequer made some observations and threw out some hints as to the state of the public finances of the kingdom. The object of the right hon. Gentleman was to show that it was probable that the income and expenditure of the present year, 1849-50, would be equal. Now, he (Sir H. Willoughby) wished to impress upon the House that the probability lay the other way. The right hon. Gentleman the Chancellor of the Exchequer took the income of the year at fifty-two millions and a quarter, and he agreed with him in that calculation. The right hon. Gentleman guessed that the expenditure would be fifty-two millions and a half; but he thought it was more likely the annual expenditure would be fifty-four millions and a quarter. Should it fortunately happen that no more expense would be required on account of the Kaffirs, there was an expensive contest impending with the Sikhs—and as to the Irish distress, it would be difficult to place a limit upon the amount that would be required in addition to the 50,000*l.* already voted. He was sorry to see that the estimates were becoming less and less an index of the real expenditure of the country. In the years 1846 and 1847 an excess in the naval expenditure of 145,260*l.* took place; in 1847 and 1848, the excess was 245,411*l.*; in 1848 and 1849, it would be 323,787*l.* This course was altogether opposed to the terms of the 26th clause of the Appropriation Act, which required that the sums granted should not be exceeded. He would illustrate the opposite practice by an example. In February, 1847, 811,304*l.* was voted; 883,620*l.* was spent, showing an excess of expenditure of 72,316*l.* Of this sum, 52,316*l.* was spent upon dockyard battalions. Now, on the same day, the hon. the Secretary of the Admiralty obtained a vote for that purpose of 20,000*l.*; and yet 72,316*l.* was spent without the shadow of authority. He thought it exceedingly desirable that in this, the thirty-fourth year of peace, the country should not get into debt; and this was all the more necessary as he found that the debt had been increased from 7,000,000*l.* to 8,000,000*l.* since 1847. It was equally important that they should have a fair outline of the income and expenditure of the country before they passed the estimates. When they passed the estimates, they had nothing to do but to pay, and the House should exercise the greatest vigilance before they performed those acts that would be really and finally conclusive. He trusted that hon. Gentlemen on that side of the House would have no hesitation in supporting a Motion which directly affected the economical administration of the finances of the country.

The CHANCELLOR OF THE EXCHEQUER said, he was aware that almost every discussion which preceded a Motion for going into Committee on the Estimates was of a very discursive character, and was not confined to the precise question before the House. He believed, however, that he would best consult the convenience of the House if he abstained from following either his hon. Friend the Member for Montrose or the hon. Member for Evesham into some of the extraneous topics to which they had referred. He should, therefore, confine his observations as much as possible to the proposal of his hon. Friend the Member for Montrose—that a general and accurate financial statement should be made to the House before it proceeded to vote the estimates. He said a general and accurate statement, because as regarded a probable estimate of the income and expenditure of the year, the House would remember that he had already given such an estimate. Now, that was not a new proposal of his hon. Friend, who had frequently before called on them to reverse the immemorial practice of the House of considering the Supplies before they considered the Ways and Means. But he (the Chancellor of the Exchequer) would confess that the more he became acquainted with the rules which regulated the conduct of business in that House, the more did he become convinced of the wisdom of those rules which had been sanctioned by the experience of ages. It appeared to him, that if their merchants were to require protection for their trade, it would be but a sorry answer to give them that they could not receive that protection, because the customs revenue might happen to be falling off at the time. He doubted whether a refusal to send the necessary protection to our trade, would tend to improve the revenue, a falling-off in which would be the justification offered by his hon. Friend for not making an adequate provision for the national security. His hon. Friend and the hon. Member for Evesham had compared the mode of managing the public income and expenditure to the mode of managing the estate of a private individual. Now, it was certainly true that in many respects there was a great resemblance between the financial affairs of an individual and those of a nation; but it so happened that in the instance then under their consideration they were not only not alike, but they were diametrically opposed to each other. His hon. Friend had said, that if, from accidental circumstances, the income of an individual increased, that individual would be justified in increasing his expenditure. But it had always been laid down in that House—and he entirely concurred in the doctrine—that no improvement in the national revenue could justify the slightest unnecessary expenditure. The right hon. Baronet the Member for Tamworth had strongly laid down that doctrine in the year 1845, when he had 5,000,000*l.* of surplus revenue. The right hon. Baronet had then said, in that speech to which his hon. Friend had referred, that he did not think the circumstance of his having that surplus revenue would justify any addition to the national expenditure, beyond what the circumstances of the country might absolutely require. The great consideration which regulated the expenditure of an individual was the income which he expected to receive. But he was sure his hon. Friend the Member for Montrose would admit that no circumstance could justify a Government in incurring any unnecessary expenditure; and he (the Chancellor of the Exchequer) should feel himself imperatively called upon to remove any amount of taxation which was not necessary for the due maintenance of the national establishments. He very much doubted whether, if his hon. Friend were to find that he could reduce his expenditure by parting with horses and carriages, he would therefore go to his tenants and tell them that as he was able to reduce his expenditure, he would reduce the fair and reasonable rents which they had previously paid. He did not think that was the course which his hon. Friend would pursue; and yet if that was the course it would be the duty of the Chancellor of the Exchequer to pursue under analogous circumstances, if the national income was more than sufficient to cover the expenditure, allowing a fair margin for unforeseen charges, it would be the manifest duty of the Finance Minister of the day to give the people some remission of the burdens of taxation. The circumstances which governed the income and expenditure of a country were therefore, so far, in direct opposition to the circumstances which governed the income and expenditure of a private individual. His hon. Friend had quoted cases in which financial statements had been made at an early period of the Session; but he would find that such a practice had never been adopted except when it was proposed either to impose or to renew some large amount of taxation; and the financial statements then made were submitted to the House for the purpose of justifying some unusual measure. In the year 1845, for instance, the right hon. Baronet the Member for Tamworth had made his financial statement on the 14th of February, because he then proposed a continuance of the income tax, which would otherwise have expired on the 5th of April. And in the year 1842, the right hon. Baronet had made his financial statement on the 11th of March, because he then proposed to impose an income tax. Again, his noble Friend at the head of the present Government had last year made his financial statement at an early period of the Session, because he then proposed to continue the same tax. But his hon. Friend would find that, under ordinary circumstances, the general practice of Ministers in this country had been to reserve their financial statements until a late period of the Session. His hon. Friend would find that even in the year 1835—the pattern year to which his hon. Friend and the hon. Member for the West Riding of Yorkshire were so fond of referring—his hon. Friend would find that in that year the financial statement had been made at so late a period as the 14th of August. His hon. Friend had quoted the words of a noble Lord, in the admiration of whose character they all agreed—namely, the late Lord Althorp. But that noble Lord, in making his financial statement in the month of February, 1831, had told the House that he could only form his estimates in a general manner, and that it would be quite idle for him to pretend to anything like accuracy as to the amount of expenditure in the following year. When his hon. Friend told them that the House could have no notion of what might be the probable expenditure of the year, and that Ministers either had not made up their minds on the subject, or that they were afraid of stating what the amount might be, he felt it his duty to remind his hon. Friend that the House had already received the estimates for the three great services, and that they were already aware of nine-tenths, or more, of the whole expenditure of the country. Besides, he had himself stated in general terms that the probable amount of the miscellaneous estimates could not be very far short of those of last year; and he had stated in those general terms, which alone were possible, according to Lord Althorp, at an early period of the Session, what he believed would be the total expenditure of the year. He could not do better than quote the language of the right hon. Member for Stamford, which contained the sound principle which ought to guide the House on this subject, and which he found in a statement made by that right hon. Gentleman before the Committee on Public Income and Expenditure in 1828. The right hon. Gentleman said—

> "My opinion is, that a careful investigation of the expenditure is, in point of order, the first object of an inquiry such as we are now engaged in; because, I conceive that where the revenue of the country is wholly derived from taxation, the extent of it must be regulated entirely by the necessity of the expenditure which is to be provided for; the exigencies of the State, for the maintenance of its safety and honour, and the promotion of its essential interests, well understood, constitute the limits beyond which no contribution should be drawn from the people of this country. The revenue, upon this principle, ought to be adapted to the expenditure, not the expenditure to the revenue; and I should, therefore, consider that our first step should be to ascertain the narrowest limits within which the annual charges for the public service could be confined, and afterwards to examine how far the revenue which we now possess be or be not sufficient, or more than sufficient, for such an expenditure."

It was impossible to state in clearer language the principles which had always regulated the proceedings of the House. If all his hon. Friend wanted was a general idea of the probable expenditure, he had given that already. A detailed statement it was not in his power to furnish; and this he understood his hon. Friend not to require. He, therefore, invited his hon. Friend to a discussion of the estimates; and the Government would be perfectly willing to listen to any proposal which the hon. Member, or any other hon. Gentleman, might have for reduction—and state the reasons on which they justified the outlay. When this had been done—of course it would be his duty to state the ways and means by which he proposed to meet that expenditure. He begged to repeat the assurance which he had given on a former evening—that, with the estimates proposed to the House, and assuming the miscellaneous estimates to be of the same amount as last year, they might securely rely that the expenditure of the country would be within the income. That was the turning point of the information afforded by the budget; that information he had already given to the House, although he was unable to state in accurate detail how that would be made up. The hon. Member said that last year there had been several financial statements. But they were engaged in an attempt to reduce the public expenditure, and as soon as they had ascertained to what extent they could go, a statement was made, founded on the experience which had elapsed since the first statement of the Government. But when the hon. Member talked of the regular period at which the financial statement had been made in former years, he must remember that, originally, the period, before the change made by Lord Althorp, began on the 5th January—and a considerable portion of the financial year had elapsed before the statement was made. It now began on the 5th April, and his hon. Friend was, in fact, calling upon him to state the prospects of the year before the year had begun. If he would refer to the experience of the last twelve or fifteen years, he would find not a single instance of a statement before April, with the exception of the time when a measure was to be introduced for creating a large addition to the taxation of the country. He really should have thought that, engaged as they were at that moment in endeavouring to revise the estimates, with the view of keeping them down to the lowest point, the experience of the past year might have shown the impolicy of attempting to make a correct statement at so early a period. It was not till somewhere about August that they had brought the expenditure to so complete a state as to enable him to make an accurate statement of the expenditure of the year. With regard to reduction, no persons could be more anxious than the present Government to make all practicable reductions. At that moment they were engaged in revising all the minor estimates which were not yet on the table, and he was anxious not to produce them till they had carried reduction as far as they thought possible, consistently with a due regard to the public service. His hon. Friend might rest assured that he would not facilitate the progress of real economy, by calling for a regular statement, until it was in the power of the Chancellor of the Exchequer to give it. He again repeated that he had already stated in general terms the prospects of the year, and this was all his hon. Friend professed to ask. If the hon. Member, therefore, adhered to that, his Motion was utterly useless, and on that ground he called on the House to allow the Government to go into a Committee of Supply. The Motion of his hon. Friend either asked an impossibility or was calculated to delay the progress of public business, which must be prejudicial to his hon. Friend equally with the Government, inasmuch as it would prevent him from proposing those reductions in Committee of Supply which he thought essential to the interests of the country.

Colonel SIBTHORP said, he should be disposed to support the Motion of the hon. Member for Montrose, but that he found him almost invariably supporting the party with whom he now found fault, and he remembered the old saying *Noscitur e sociis*. As to the professions of the Government, when he saw them, with no surplus, guilty of such extravagance, he could not believe that they were *bonâ fide* intent on reduction. He had heard a great deal of the sound principles of the right hon. Baronet the Member for Tamworth. Oh Lord! He could only say that they were diametrically opposed to what he regarded as sound principles. If the hon. Member for Montrose would give him his assurance that he would not listen to the persuasive language of the Chancellor of the Exchequer, but go to a division—[Mr. Hume: Hear, hear!]—he would support him, and put the soundness of his principles to the proof.

Mr. COBDEN said that the answer given by the right hon. Gentleman the Chancellor of the Exchequer to the proposal of his hon. Friend the Member for Montrose, was not a very satisfactory one. The right hon. Gentleman said that his hon. Friend proposed what was impossible.

The CHANCELLOR OF THE EXCHEQUER said that what he stated was that he could not give an accurate account before the 5th of April.

MR. COBDEN: But where was the necessity of voting the supplies before the 5th of April? Even if it were impossible to postpone them till after that period, they might at least have an approximate estimate of the expenditure and sources of income before the 5th of April. He wanted to have the whole estimate of expenditure and income before them, but they did not get that. They got the Army, Navy and Ordnance Estimates, but they had not got the Miscellaneous Estimates yet. The right hon. Gentleman made use of one argument which seemed to him to be very extraordinary—namely, that they probably might be in a state of war; that the enemy's fleet might be ravaging the coast— [The CHANCELLOR of the EXCHEQUER: No, no!] Certainly the right hon. Gentleman made use of that argument. [" No, no."] Surely he did not misrepresent the right hon. Gentleman.

The CHANCELLOR OF THE EXCHEQUER: You do indeed.

MR. COBDEN could not see how he misrepresented his right hon. Friend, for he surely put the possible case of an enemy ravaging the coast. That was the first argument used by him. It assumed that after 34 years of peace they were about to go to war. This constant tendency of considering war as the normal state of society was what he objected to. At all events, while they were at peace, let them have the advantage of peace. Let them have, at the beginning of the Session, the estimate of what the income and expenditure were likely to be. Although he admitted that the affairs of the nation were different from those of an individual, inasmuch as it might not be always in their power to confine the expenditure of a nation within its estimated income, yet, even in the affairs of a nation, the expenditure must in some measure be regulated by the income, because there was a limit to the income of a nation. When the nation at large was calling out for a reduction of expenditure, they ought to have the case placed plainly before them; and if they had the whole estimates before them, they would be the better able to judge, by reference to the sources of income, whether they could fairly and legitimately vote the expenditure, than they could when they were in total ignorance where the income was to come from. The right hon. Gentleman knew from fortnight to fortnight what the progress of the income was—he knew what the progress of the excise and customs was. It appeared to him that it was for the House and country also to know as far as possible the state of the national resources. Surely there was nothing unreasonable in that. He did not propose to embarrass Government, or to throw any impediment or inconvenience in their way, by refusing to vote money on account. He hoped, therefore, his hon. Friend the Member for Montrose would press his Motion, and, if unsuccessful now, he trusted he would move at another time a substantive Motion, that on all future occasions before the vote of supply an approximate estimate should be given of the income and expenditure of the country.

The CHANCELLOR OF THE EXCHEQUER explained that he had not said anything upon the present occasion which referred to the possibility or practicability of war. He merely put the case as an illustration, without reference to the present or any other time, in order to show how impossible it would be, under certain circumstances, to arrive at any accurate conclusion as to the amount which might be required. He said it would be a sorry answer to those persons who might be injured by a want of proper protection, to tell them that the revenue was falling off, and that therefore they could have no protection. That was all he had intended to convey.

MR. HUME said, that if the right hon. Baronet had read his resolution he would see that he did not ask for an accurate account. There was the instance of Lord Althorp in 1834, and subsequently, of Mr. Goulburn, for the course he proposed.

Question put, " That the words proposed to be left out stand part of the Question."

House divided:—Ayes 97; Noes 48: Majority 49.

List of the AYES.

Abdy, T. N.
Acland, Sir T. D.
Adair, R. A. S.
Anson, hon. Col.
Arundel and Surrey, Earl of
Baines, M. T.
Baring, rt. hon. F. T.
Bernal, R.
Blackall, S. W.
Boyle, hon. Col.
Brooke, Sir A. B.
Brotherton, J.
Brown, W.
Bruce, Lord E.
Burrell, Sir C. M.
Carter, J. B.
Cayley, E. S.
Chichester, Lord J. L.
Clive, hon. R. H.
Corry, rt. hon. H. L.
Cowper, hon. W. F.

Cubitt, W.
Dundas, Adm.
Elliot, hon. J. E.
Farrer, J.
Ferguson, Sir R. A.
Forbes, W.
French, F.
Galway, Visct.
Gladstone, rt. hn. W. E.
Gordon, Adm.
Grace, O. D. J.
Granger, T. C.
Grey, rt. hon. Sir G.
Haggitt, F. R.
Hastie, A.
Henley, J. W.
Herbert, H. A.
Herbert, rt. hon. S.
Hervey, Lord A.
Heywood, J.
Hodges, T. L.
Hogg, Sir J. W.
Hope, Sir J.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, P. H.
Jermyn, Earl
Kildare, Marq. of
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lewis, rt. hon. Sir T. F.
Littleton, hon. E. R.
Mahon, The O'Gorman
Maule, rt. hon. F.
Milner, W. M. E.
Milnes, R. M.
Morgan, H. K. G.
Morison, Sir W.
Morris, D.
Mulgrave, Earl of
Mullings, J. R.
Nugent, Sir P.
Paget, Lord A.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Pinney, W.
Pugh, D.
Raphael, A.
Rice, E. R.
Romilly, Sir J.
Russell, Lord J.
Russell, F. C. H.
Sandars, G.
Sheil, rt. hon. R. L.
Smith, J. A.
Smollett, A.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stafford, A.
Strickland, Sir G.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Ald.
Thornely, T.
Townshend, Capt.
Tyrell, Sir J. T.
Ward, H. G.
Watkins, Col. L.
Wilson, J.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wyvill, M.
Young, Sir J.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Aglionby, H. A.
Archdall, Capt. M.
Baldwin, C. B.
Bennet, P.
Blewitt, R. J.
Bouverie, hon. E. P.
Cobden, R.
Duncan, G.
Duncuft, J.
Ellis, J.
Ewart, W.
Floyer, J.
Gibson, rt. hon. T. M.
Greenall, G.
Greene, J.
Gwyn, H.
Harris, R.
Hastie, A.
Heald, J.
Henry, A.
Heyworth, L.
Hindley, C.
Hodgson, W. N.
Horsman, E.
Humphery, Ald.
Kershaw, J.
King, hon. P. J. L.
Lacy, H. C.
Meagher, T.
Martin, J.
Moffatt, G.
Molesworth, Sir W.
Mowatt, F.
Muntz, G. F.
O'Connell, J.
Osborne, R.
Pechell, Capt.
Perfect, R.
Pilkington, J.
Scholefield, W.
Sibthorp, Col.
Sidney, Ald.
Smith, J. B.
Stuart, Lord D.
Thompson, Col.
Waddington, H. S.
Walmsley, Sir J.
Williams, J.

TELLERS.

Hume, J.
Willoughby, Sir H.

Main Question put, and agreed to.

Supply considered in Committee.

NAVY ESTIMATES.

MR. WARD rose and said, that he had deferred making any allusion to the speech of the hon. Member for Evesham (Sir H. Willoughby) until he came to the general statement which it was his duty to make to the House, as he considered that would be the most convenient occasion for replying to the observations of the hon. Baronet. In many of his observations he (Mr. Ward) entirely concurred. He thought there was a great deal of truth in what he stated—that if votes for excesses were to recur perpetually from year to year, the Navy Estimates would cease to be regarded as a fair criterion of the national expenditure. He thought that whenever such excesses had occurred, the House was not only entitled to call for the fullest explanation of that excess, but also not to allow the votes to pass without such explanation. This was the third vote of this kind which it had been his lot to submit to the House since he became Secretary to the Admiralty; but it was the first one for which the present Board of Admiralty was entirely responsible. The first vote was for excess in the year 1845–6, amounting to 185,000*l.* That vote was to be regarded rather in the light of a supplemental vote, than of an excess. It was an estimate, sanctioned under peculiar circumstances by the Treasury, of which the present Board of Admiralty knew nothing whatever. That vote was sanctioned, and the money expended, before the present Government came into office, and for which his hon. Friend the then Secretary of the Admiralty, and the Chancellor of the Exchequer, assigned satisfactory reasons to the House. If that vote had been a vote of excess, in the ordinary acceptation of the term, he could not have moved it with the estimates of 1846–7, as the House was aware that the old financial year ended the 5th of March; and, six months being allowed to wind up the accounts, he could not, of course, have brought it forward with the estimates of that year. The excess in 1847–8 was the largest excess of all, amounting to 323,787*l.* It was the first of the three votes for which the present Board of Admiralty were entirely responsible. He was far from underrating the weight of that responsibility. He was perfectly ready to admit the weight of all the objections urged by the hon. Member for Evesham against these votes of excess. Votes of this sort might be explained or excused, but they never could be entirely justified. The House was, however, prepared, during the last twelve months, for the fact of such an excess; although not to the amount which had resulted at the end of the year. He had stated it in the House last year, and in his evidence before the Committee upon the Navy Estimates, that there were three causes for that excess. In the first place, the average pay allowed per man was 36*l.* 3*s.* 11*d.* per annum; while the real average, as was proved by the actual cost, of the complements of all the ships' crews in commission was 38*l.* 15*s.* 3*d.*, which would make a difference of 70,524*l.* upon the vote No. 1. The second cause of the excess was, that during the whole of the financial year in question, they had an average of 3,969 men more on board than was voted by the House. The third cause was the unusual number of men paid off during the same year. The number of men paid off in 1847–8 was 15,369—their wages amounted to 245,000*l.*; while the average of the preceding three years had been only 6,328 men, whose wages amounted to 123,000*l.* Under the three heads—No. 1, wages; No. 2, victualling; No. 3, medical stores, the amount of excess had been 308,864*l.* 15*s.* 3*d.* In addition to this sum, there was an excess which arose from the dockyard battalions, which was a much less defensible excess than the others to which he had alluded, and upon which the hon. Member for Evesham had very strongly commented. It should, however, be remembered, that the estimate for those battalions was entirely a conjectural one. The Government had no means of knowing the number of men who would enrol themselves, and it was purely voluntary. The lists, however, were filled up with great rapidity. The Government had not the least anticipation, when proposing the vote, and when it was discussed in the House, that the lists would have been so speedily filled up. Subsequently, the House having sanctioned the principle, the Government took the most economical mode of establishing those battalions, by making arrangements at once for equipments, drilling, and clothing, the last of which would last for the next five years. The expense of clothing was 39,012*l.*—staff and drill pay, 30,000*l.* The step was taken in accordance with the wishes of the people; but they having changed their opinions, he supposed that the Government must bear the blame of this expense. Now, with respect to the excess which took place in wages in vote No. 1, the House would recollect that that was a matter not always within the power of the Admiralty to control—for the wages of men was in point of fact a running account. The House might fancy that a certain sum was to be voted for the men, but that money so voted had to be paid to men some of whom entered, perhaps, three or four years before. These were the elements of uncertainty that made it difficult for the Board of Admiralty to tell exactly what sum might be required in any one given year. Provided the average of the wages were correct, and the number of men did not exceed the number of men voted, they would of course always find that the sum taken under vote. No. 1 would be sufficient. The great thing to guard against was excess in the number of men. Whatever might be the number of men voted by the House, an excess of that number would necessarily derange the whole of the plans, and involve the Government in the necessity of coming to Parliament for further funds to meet the increased demand. The excess on that account amounted in the financial year 1847–8 to an average of 3,969 men. Was that excess entirely of their originating? Certainly not. A very large portion of that excess was bequeathed to the present by the last Government. They found in ships commissioned in June and July, 1846, by Lord Ellenborough, 2,603 men above the number voted, and when the complements of those ships were complete the number was increased to 3,436 in October. That was the starting point of the present Government—an excess of 3,436 men in October, 1846, three months after their taking office, without a single ship being commissioned by the present Board of Admiralty. Then came the Irish relief service, the disturbances in New Zealand, afterwards the Kafir war, the detention of ships in the River Plate, disturbances in China and Borneo, all justifying the different admirals in detaining ships upon the station which were under orders to return home, and thus disappointing the Government in the relief of ships, upon the return of which they had calculated, and involving the Admiralty with the payment of a number of men whom it was impossible to have at home. The number of men under orders to return home was never less than 3,717 in any month during the year 1847–8; and on the 1st of March, 1848, there were 4,134 men under orders to return, though unfortunately they could not be spared. As to Irish relief, the expenses entailed on the Admiralty by that calamity were almost incalculable. One flag-ship, eight receiving ships, three troop ships, and thirty-one steam vessels, five colliers and tender, one naval transport, and two sailing frigates, making a total of fifty-one vessels, and employing 3,100 seamen, besides a battalion of marines, were despatched upon that service. The price of coals also rose from the average price of 16*s.* to 2*l.* per ton, because at that season of distress there was no such thing to be had on the whole coast of Ireland as a return cargo, and freights were proportionably dear. All these expenses went to swell that excess of which the hon. Baronet the Member for Evesham had justly spoken in strong terms of condemnation. No doubt it was true that some portion of these expenses had been repaid by the Treasury, but not a very large portion, for no man was better able to settle an account than his right hon. Friend the Chancellor of the Exchequer. The Treasury had a way of its own, and where the Admiralty was concerned generally got the best of the bargain. Under these circumstances, could the House wonder at the fact, that the excess under Nos. 1 and 2, had in the last year amounted to 303,442*l.* The sum required for the service of the year 1849–50, for wages to seamen and marines, would be 1,355,420*l.*, and the net estimate for the financial year 1848–9 was 1,393,506*l.* He had never made any attempt to disguise from the House the fact—on the contrary, he stated it to the House last year—that the proper average of men could not be discovered, and that consequently the number of men borne greatly exceeded the number voted. Some of these causes had been in operation during the present financial year also. The table which was appended to the first vote of the present estimates would show what had been the excess of men borne during the first ten months of the financial year, which would increase the average expense of each man to 39*l.* 9*s.*, instead of the allowed average of 36*l.* 3*s.* 11*d.* It had been found necessary to take a period of ten months to work down an excess of 3,947 men borne over the number voted—which was the excess in April, 1848—to 350 men below the vote. Whatever responsibility had been incurred for permitting this excess was, he was bound to say, due to the late Lord Auckland, and not to his right hon. Friend the First Lord of the Admiralty. To him (Mr. Ward) it appeared that this excess of men borne over the number voted was the source of perpetual anxiety, and of the disturbance of all the calculations which were made with regard to the Admiralty Department. Nobody had done more than his late lamented Friend, Lord Auckland, in his endeavours gradually to get rid of this evil; and as this was, perhaps, the last time that he should have the opportunity of adverting to Lord Auckland's name, he ventured to say, that from what he had observed during the two years and a half in which he had the happiness of serving under him, he had never known any man with a keener sense of the responsibilities of high office, or more entirely devoted to his duties—or more impartial in the distribution of his patronage, or possessing on all occasions more self-command. He only did justice to himself and his gallant Friend near him (Admiral Dundas) in bearing this testimony to the merits of that lamented nobleman. But while Lord Auckland was undoubtedly responsible for the excess to which he had referred, death had robbed him of the honour due to him for the foundation of that improved system of administering naval affairs, of which his right hon. Friend the First Lord of the Admiralty would reap the advantage. He was sure that his right hon. Friend would now hold with a firm and vigorous hand the vantage ground which he had gained; and he hoped that this vote for an excess of expenditure would be the last vote of the kind which, in a time of peace would ever be brought before the House of Commons. With regard to the estimates for the present year, the discussions which had taken place on subjects connected with the annual expenditure, and the notices upon the Votes of the House, had sufficiently warned him that he would have no easy task to perform in submitting to the House these estimates. He was far from saying that these estimates would please no party, because he believed that, both in that House and in the country, persons were to be found who would look favourably on an honest desire to combine economy with efficiency in the public service. But, on the other hand, he was well aware that there were many who thought that Her Majesty's Government had done too little in the way of reduction, while others were of opinion that too much had been done. There were, he had no doubt, Gentlemen opposite who thought that, however circumstances might differ, not a ship or a man could be spared from the great bulwark of England; while he was told by several friends in his neighbourhood, that the reduction made was a mere miserable instalment of that retrenchment which ought to be effected, and that an alteration ought to be carried out in accordance with the standard of 1835. It was rather a remarkable circumstance that although most parties had at one time or other referred to that year as an example for imitation, it had never been affirmed by their sober judgment. The number of seamen was raised by Lord Melbourne in the following year to 22,700; and under the right hon. Baronet the Member for Tamworth, that force was raised to 26,000 men, and ultimately increased to 27,000 men, an amount still farther augmented by the present Administration, till it reached, in 1848-9, with the addition of marines, 43,000 men. It must be admitted that it was difficult to assign specific reasons for all these changes. Something must be taken on trust; something must be left to the discretion of the Government; but he was sure that the House of Commons had acquiesced in all these changes. Happily for the present Government, instead of having to deal with the two extremes to which he had referred, there was a middle course laid down by the Estimates Committee, upon which, as he had stated in August last, the Government were determined to act. He had promised, on the part of the Admiralty, that there should be a general revision of naval stations, and that every practicable reduction should be made whenever fresh circumstances would justify it. The Admiralty had done so; the stations had been revised, and they thought that with 3,000 men less than last year, they could efficiently provide for the honour and security of the country. Since that time the hon. Member for Montrose had taken the matter into his capacious hands. The hon. Gentleman had taken, not the standard of 1835, but a standard of his own. He had chosen a very convenient half-way house of his own, where he was determined to stop for a while till the country was ready to go further. Now, of course he (Mr. Ward) did not think that a reduction of 8,000 men from the number voted last year was so objectionable, so imprudent, or so unsafe as the reduction of 16,000 proposed by his hon. Friend the Member for the West Riding; but at the same time it was much too large, much too imprudent, and much too unsafe for the Government to assent to it. The Government proposed a reduction of 3,000 men; his hon. Friend's proposition went 5,000 below that of the Government, and after his hon. Friend's reasons had been stated it would be for the House to decide between the two. He came now to the changes in the form of the estimates which the House would remark had been made. Upon them he had only to say that every recommendation made by the Committee had been attended to. In Vote No. 1, that for wages to seamen and marines, the monthly excess of men was stated, and also a return of the expenditure incurred on account of marine contingencies. Under No. 10, the vote for timber, an estimate was given of the sums required for the purchase of timber, other stores, coals, repairs of steam machinery, &c. Under Vote 13, there was a return of the total expenditure incurred for contingencies in the year 1847-8. Under the head of Vote 18, which was for the convict service, the estimate had been transferred to the miscellaneous estimates; and under Vote 19, the charge for defraying the expense of steam communication to Bombay, which had hitherto been voted in the miscellaneous estimates, had been included. These changes, and the withdrawal of the credits in aid from sales now paid over to the Exchequer, made a comparison between the estimates of the present year and of any other year exceedingly complicated. There was not only a gross and a net estimate, but a revised net estimate, by which a deduction of 208,000*l.* was made from the estimates in August last. This would be found in a separate table at page 2 of the estimates. The House, however, would see at once that the gross estimates was the only fair test of comparison which could be made between the present estimates and the estimates for last year. The hon. Gentleman then read the following comparison between Navy Estimates of 1848-49 and 1849-50:—

Gross Estimate for 1848–49, unrevised, 19 votes	£7,951,842
Decrease, on Votes 1, 2, 5, 6, 7, 8, 10, 11, 12, 13, 15, 17, 18, 19, 1,703,302*l.* Increase on Votes 3, 9, 14, 16, 12,200*l.* Apparent saving	1,691,102
Deduct—Vote 18.—Home Department, 53,950*l.* (transferred to Miscellaneous Estimates). Vote 19.—Contract packets, 611,662*l.* Packet service.—Queen's vessels, stores, repairs, &c. 183,195*l.* (now charged to Post Office estimate)	848,807
Actual saving on Naval Votes No. 1 to 17	842,295

Brought forward	£ 842,295
PACKET VOTE.—Contract packets, 1848–9, 611,662*l.*; 1849–50, 586,616*l.*; saving, 25,046*l.*—Queen's vessels, stores, repairs, &c., 1848–9, 183,195*l.*; 1849–50, 111,680*l.*; saving, 71,515*l.*	96,561
Decrease on the two estimates	938,856
Deduct for saving by revised estimate of 1848–9	208,000
Actual saving upon estimates of 1849–50	730,856

Now, he might be told that there might be some trick in these figures, and that the Government had shuffled and doubled through the various estimates in such a manner that it was very difficult to come to a conclusion on the real facts of the case. He would read, therefore, another document:—Comparison between the estimate of 1849-50, and the net revised estimate of 1848-49, as actually voted:—

Net estimate for 1848-49, credits in aid deducted—19 votes	£7,726,610
Deduct for revision, under Votes 8, 10, 11, 13, 14, 19—(Page 2 of Estimate)	208,000
Actual vote of last Session	7,518,610
Vote proposed for 1849-50	6,260,740
Apparent saving	£1,257,870
Deduct for Vote 18, Home Department, less credits in aid (now transferred to Miscellaneous Estimates), 43,602*l.*; Vote 19, contract packets (9,000*l.* deducted by "revision" for Bombay mail), 602,662*l.*; packet service — Queen's vessels, stores, &c. (less credits in aid), 161,698*l.*	807,962
Saving on net revised Naval Votes (No. 1 to 17)	£449,908
PACKET ESTIMATE.—Packet service (contract and Queen's vessels), 1848-49, 764,360*l.*; 1849-50, 698,296*l.*—decrease	66,064
Actual saving upon estimates of 1849-50	515,972
Add appropriations in aid (now paid into Exchequer), less that for Home Department	214,884
Reduction on estimates of 1849-50, as compared with net revised estimate of 1848-49	£730,856

He believed that these figures were strictly accurate, as compared with the gross or the revised estimates of last year. But he had been told out of the House that the Government had promised to do a great deal more than they had performed, and that the saving was not so great as what he had stated it would be if all the promised reductions were struck out. But 208,000*l.* were struck off in August last, as well as 730,000*l.* in the present year, and therefore he thought that the Government had tolerably well redeemed their promise, by effecting, between August, 1848, and the 1st of August, 1849, a total saving of 938,856*l.* The House would allow him to state in what way this had been done. Under Vote No. 1, the reduction had been almost neutralised by the increase of the average allowance of 36*l.* 3*s.* 10*d.* for each seaman, to 39*l.* 9*s.*, which was to be the cost on the 1st of December, 1848. It was high time to do away with the perpetual disturbance of calculation occasioned by taking a very low average of the number of men employed, since there was an increase under this head of 27,208*l.* Under Vote No. 2, there was a decrease of 115,151*l.*, because there they got the whole benefit derived from a reduction in the prices of provisions. Under Vote No. 3, there was a small increase of 1,911*l.*, principally charged for the Surveyor's Department in the Admiralty. Sir W. Symonds, the late surveyor, had a house allowed him, and 300*l.* was allowed to the present Surveyor of the Navy, Sir Baldwin Walker, on account of surrendering that house, which was required for public purposes. He had also two assistants, instead of one, which was formerly allowed. These changes were of much importance, as they affected the stability of the Board of Admiralty at Somerset House. It was a great evil to have a political Board of Admiralty; and it was the true interest and policy of the country to have a permanent system under a fluctuating board. He could not speak of the present surveyor without expressing his opinion how well qualified he was for an office which required great knowledge and experience, and of the men with whom he had to deal. He looked upon him as a most valuable public servant; and he trusted that the country would derive great advantage from the increased superintendence which would be exercised over this department. Under Vote No. 5, that for the scientific branch, there was a reduction of 27,548*l.* A sum of 25,000*l.* had been voted last year for the purchase of two ships for the Arctic expedition in search of Sir John Franklin, which was found to be totally inadequate for the purpose for which it was intended; and as the amount required could not be ascertained in sufficient time to include the vote in the present estimate, it was intended to apply to the House to sanction, by a supplementary vote, the expense incurred. In the hydrographical department, there was a special grant proposed of 1,500*l.*, for completing the survey of the great lagoon running parallel with the Bight of Benin. It had been lately ascertained that the country had, as usual, paid dearly for the acquisition of geographical knowledge in Africa. The life of Mr. Middleton, by whom the survey was first undertaken, had been sacrificed; but another gentleman, with a more iron-like constitution, who accompanied him, had survived, and was going out again to complete the labours which had been commenced. Under Vote 6, for Her Majesty's establishments at home, the House would see a reduction of 3,554*l.* Under the head of Vote No. 8, for wages to artificers in the dockyards, there was a very considerable reduction in comparison with the estimate of last year, being 84,231*l.* on the gross estimate; but 40,000*l.* were taken off that estimate last year, subsequently to the estimates being laid on the table of the House, and this would leave a net reduction of 44,231*l.* The vote for this year, however, included a charge of 8,926*l.* for some additional hours of work in dockyard smitheries, and 3,000*l.* for a general survey in the yards, which the Committee thought most desirable, and so did the Government. The public would have increased security from this additional outlay; and as this charge was not included in the vote for last year, the fair way would be to consider 47,231*l.* as the net deduction. Under Vote No. 10, for naval stores, there was a reduction to the amount of 342,802*l.*, as compared with the gross vote of last year. Last year the vote proposed was 1,511,671*l.*, and this year the estimate was 1,168,869*l.*, the reduction taking place chiefly in the purchase of timber, masts, and other stores. Instead of 28,000 loads of timber, the estimate was for 21,860. On hemp there was a saving of 12,000*l.*, principally owing to a fall in the price. The total saving under these items was 167,145*l.*, but it was not intended to trench in any way on the establishments maintained in the yards, but reduce the expenditure in repairs and shipbuilding during the present year. There was an increase of 9,000*l.* in the item of coals, which were largely required for the service of the Mediterranean steamers, but in steam machinery there was a reduction of 100,000*l.* He had stated last year, that he hoped to reduce this item by 120,000*l.*; but the Admiralty began the year with large liabilities under contracts, amounting to 160,000*l.*, and therefore he hoped his hon. Friend behind him would not think he was asking too much if he asked for 20,000*l.* for steam machinery. All these deductions were made without trenching in any way on the establishments of the articles which ought to be kept in store in the different yards. Under Vote No. 11, for new works, the gross increase was 296,667*l.*; but as the Committee of revision struck off from the estimate of last year a sum of 62,000*l.*, the difference between the two estimates would be 234,667*l.* in excess over the vote of last year. The House would, however, perceive that there was the greatest possible difference now in stating the amount for works. There was no mystification or uncertainty about it, but the whole sum for works and repairs was stated distinctly, there was a column for the gross sum already expended upon it, the vote required for the ensuing year, and the further estimate for completing the work. It would be satisfactory to the House and to the country to observe that the Government works of the dockyards were almost all completed. At Portsmouth, very little was required; and the only things left were the basin at Devonport, the works at Keyham, and the buildings at Bermuda. It should be recollected, that the Committee on the Estimates itself limited the possible reductions under this head to a strict compliance with existing engagements. With regard to the works at Keyham, he could assure his hon. Friend, that although the sum of 120,000*l.* was larger than would be asked for in the present year under different circumstances, the Admiralty had the greatest difficulty in inducing the contractors to wave their undoubted rights, and to allow the Government to reduce the vote from 150,000*l.* to 120,000*l.* That could not have been done without the consent of the contractors, as they were under contracts as well as the Government. The further progress of the work must of course depend upon Parliament. The total estimate for the works at Keyham was 1,225,000*l.*, and the sum already expended upon them was 479,683*l.* He thought it would be most unwise to abstain from proceeding with a work on which so much money had been already laid out, though he admitted that its progress should be spread over as many years as the public convenience might require. He would not, however, look at the possibility of amending it. The returns from the factories appeared to be a matter of guess rather than of certainty. The Admiralty Committee of revision was thoroughly convinced that they were not prepared on sound principles, and the result was, that they were hardly worthy of credence; but since this had occurred, some of the most able practical men had been appointed to investigate and report on the whole subject. For this purpose, two or three persons of the highest character and ability had been directed to examine the matter, for the purpose of seeing what the result was. If it should not turn out to be satisfactory, it would then be better for them to see whether they could not do the work by contract. This was the very first time when the result of the work executed in the factories would have a fair trial; and he confessed that he did not anticipate a failure, as his hon. Friend did. As to the works abroad, the works at Bermuda were by far in the least satisfactory state. There was no place on which so much public money had been expended, and where there was so little to show for it as the public works in this colony. They had been going on since the year 1815, and no one seemed to have had any intelligence as to what was being done. Five plans for fortifying that island had been pursued up to a certain point, and then abandoned. The last plan adopted had been carried on for three or four years. A large space had been enclosed by the fortresses, and land had been cleared for the naval yard, and for the purposes of the buildings, some of which were then in progress. The total cost for these works, as he had already stated to the House, would be 143,000*l.*; and the proposed expenditure for the current year was 11,274*l.*; but as to the progress with which the works should be carried on, the House at any time it pleased could regulate that by increasing or decreasing the amount of convict labour. He believed the importance of Bermuda, as a naval station, had never been disputed; and he conceived that it would be unwise not to go on with these works, which had already cost so much money. Still it was for the House to decide on this question, which was one which the Committee of last year had left undecided. The Government proposed that they should go on with the works to the extent which he had previously described. He had now gone through all the points connected with public works, the expenditure on which had created great interest throughout the country, and which had been very much misunderstood. The great rise which had taken place in this branch of expenditure, within the last few years, must, no doubt, be regarded as the great ground of objection. He admitted that large sums of money had been ill spent in many instances, and in others thrown away altogether, through a want of system in carrying on or directing their works. There was one point which struck his noble Friend behind him (Lord Seymour) last year, when Chairman of the Committee—namely, the large expenditure which had taken place in the saw mills in the different dockyards. The result of inquiry showed that the saw mills at Chatham might have supplied the yards on the Thames, as well as those on the Medway, with prepared wood; or the saw mills at Woolwich might have supplied Chatham and Sheerness with wood. The Admiralty thought it better at once to admit these excesses in expenditure than to attempt to excuse them. They admitted that they had neglected to look into these matters too long a time. What had been done had arisen entirely from errors, and, generally speaking, from a generous feeling. There had been errors, but they were not intentional errors; and in every instance not the slightest imputation could be cast upon the eminent officers who had superintended these works; and he was satisfied that many of these errors would have been avoided if they had taken more time for consideration before they proceeded with them. The whole of the public works of the country had been allowed to fall into an almost ruinous condition, when we suddenly rushed from parsimony into profuse expenditure on them. He doubted, however, in looking at the Government works, whether more errors had been committed, or money had been more unwisely expended, than on any of the great railways, where the different companies had the very first intelligence in the country to carry their works into effect. Under similar circumstances similar errors might again occur. They therefore should look back and see how they could be avoided if they had to do similar work again. The question was whether these works were necessary? A great deal had been said by some hon. Friends behind him as to an observation which he had made as to the dockyards having been left in a state of destitution. He had no hesitation in saying that in 1841 the yards were left most behind in the supply of stores. The works were in decay, and there were no littoral defences to them. There were no defences to Devonport dockyard. At Sheerness there was one honey-combed gun, which was left there to return the salute of any French ship that might pass. He believed that it would have been a false step, under such circumstances, not immediately to have taken steps to give protection to their establishments, instead of, as it were, abandoning them without defence. If the latter course was adopted, it might lead other Powers to hope that the naval power of England might be crippled by a sudden blow, for by appearing without means of defence hostile Powers would be encouraged to attack us. The best way of checking angry passions was to show that there was some danger in indulging in them; and the country was in the best state of defence when she appeared capable of resisting aggression. The question was now brought within a narrow compass, for the reduction in this vote, as compared with that of last year, was 296,000*l.* less than the vote in the estimates of last year. He believed the time was rapidly approaching when this vote might be very materially reduced by the completion of many works. He would not go back to the expenditure which had been mentioned of 63,700*l.* for this vote in 1833; but he trusted that, ere long, they would be able to reduce it to 100,000*l.*, and at the same time give to the yards, and the buildings connected with them, both at home and abroad, the most perfect protection. He now came to Vote 13, for miscellaneous services, in which there was a diminution of 13,147*l.* as compared with this vote for last year. This had chiefly arisen in the charge for drilling the men belonging to the coast-guard. In consequence of what had occurred last year, it had been determined to abandon, to a considerable extent, the drilling of this most deserving body of men. He need hardly say that the coast-guard had been most usefully employed. He now came to Vote 24, which was for the half-pay and retirement to officers of the Navy and Royal Marines. This vote his hon. Friend the Member for Montrose had taken under his particular protection. There was an increase upon it of 2,512*l.*; but this amount would appear to be 12,562*l.*, if they compared it with the revision of the estimates last year. There had been a great reduction last year in the naval force, as a number of ships were paid off, and, of course, this increased the charge for half-pay. If they reduced the expenditure in the active or effective service, there must be a comparative increase in the other branch. He knew that the large amount of the half-pay was a favourite matter with his hon. Friend the Member for Montrose, and other financial reformers, who seemed to think that this sum was expended in pensions for the younger brothers and sons of the aristocracy. If those persons had no better resources they were in a very poor condition. His hon. Friend, who dwelt so long the other night on this topic, drew a painful contrast between the number of officers on the half-pay list in the English and French navies respectively. He stated that there were 931 officers on half-pay belonging to the French navy, while this country had 4,913 in that situation. But what was the half-pay list of the French navy in 1815? Their navy had been swept from the seas, and it had been destroyed from the battle of Trafalgar. The number of officers of the French navy, who would then be placed on the half-pay list, was extremely small; in our Navy, on the contrary, there was a very large number of gallant veterans whom it was necessary to provide for in this way after the long periods in which they had served their country. Surely his hon. Friend would not say that there should have been any breach of contract with that class of officers who had been promised their half-pay, in case of their not being employed. Now the following was the state of the half-pay list. The fleet in the beginning of the year 1814 consisted of 140,000 men, and—

Ships of the line	99
Frigates	131
Sixth-rates, sloops	364
Troop ships	50
	644

employing—

Flag-officers...	42 afloat out of a total of...	204
Captains......	282	798
Commanders	240	628
Lieutenants	1607	4915
	2171	4915

At the beginning of the year 1817 the Navy consisted of 19,000 men, and—

Ships of the line	14
Frigates	24
Sixth-rates, &c.	76
Troop-ships	10
	124

employing—

Flag-officers...	12	out of a total of...	196
Captains	74	... ...	854
Commanders	49	... ...	829
Lieutenants	401	... ...	4012
	536		5891

This great increase to the list of the Navy was occasioned by the large promotions consequent on the Peace of 1814 and of 1815, namely—

Captains	134
Commanders	360
Lieutenants	1312

The reduction of the force in commission placed 1,635 officers on half-pay. The fleet now in commission shows that there are employed—

		Out of a total of	Of whom are unfit for actual service.
Flag-officers...	13	151	89
Captains	76	532	108
Commanders	101	864	461
Lieutenants	559	2310	1300
	749	3857	1958

The officers now employed are, therefore, 213 more than in the year 1817, and the total number of officers is 2,034 less than in that year; showing that the number on the active half-pay list has been diminished by 2,247 officers. The officers unfit for actual service are exclusive of those on the retired list, whose numbers in 1814, 1817, and 1849, are as follows:—

	1814.	1817.	1849.
Retired rear admirals	29	27	45
Retired captains	37	31	132
Commanders with the rank of captain...	—	—	50
Lieutenants with the rank of commander	80	100	100
Ditto (retired commander) with pay of lieutenants...	—	—	216
	146	158	543
Officers on the active list	4915	5891	3857
Total	5061	6049	4400

Being a decrease of 1,649 by death and other causes in 32 years upon both lists, with only 1,899 officers of all classes fit for active service, or little more than double the number required to command the ships in commission under the present establishment. He could not recognise the accusation that places were constantly being made in the naval service for persons connected with the aristocracy of the country because of their supposed *status;* neither could he permit the doctrine to be tenable that brothers and cousins had a preference in the patronage of the Navy Board. Out of the 3,857 officers of the Navy on the half-pay list, 1,915 were totally unfit for service at the present time. Surely it would not be said that that was a reason for the public to break faith with them. There were also on the half-pay list at present 2,034 officers less than were on it in 1817. The only question for the House to consider was, to see how it could check any improper expenditure under this charge. [Mr. HUME: There should be no promotions.] He (Mr. Ward) asked how by any possibility they could keep up the Navy without promotions? How could they find officers for the 35,000 men which his hon. Friend proposed should be voted for the Navy, if they held out no prospect of promotion? Without promotion no man worth having, no man who could get a crust of bread by any other means, would enter the Navy. There might be some consideration as to promotions going on towards the top of the tree; but the question of the admirals he should leave to his gallant Friend near him (Admiral Dundas), who would enter into an explanation on the subject. He would only add, that the Admiralty were desirous to stop the expenditure on this as on other votes, as far as justice or the exigency of the service would admit of. The next vote was for military pensions and allowances, on which there would be a diminution of 9,727*l.* as compared with that of last year. He was sure that no one would object to the pension which had been bestowed on Captain G. E. Watts, who had been forty times under fire, and who had received seventeen wounds; nor to that to the widow of Lieutenant Kingsman, who had lost his life under such disastrous circumstances? The question was, whether this amount was distributed with fairness and impartiality. He would venture to say that not one pension had been bestowed in this branch of the service during the last seventeen years with which the profession was not perfectly satisfied. The next vote was for civil pensions and allowances, in which there had been an increase of 6,313*l.* This could be accounted for by the circumstance of the large reductions which had taken place in the civil departments of the service. The next vote was the 17th and last one in the pre-profligate expenditure; she was pulled to pieces to put a round stern instead of a square; in all probability nearly 1,500,000*l.* had been spent upon round sterns in the last half century. The state of the Navy at the present moment was such as must be viewed with satisfaction by any man who wished to see this country maintain her proper position of superiority. He had shown that some steps had been of late taken by the Admiralty to amend the system in all its parts. He hoped the House would support the proposition for the number of men which it was his duty to make, in preference to the number proposed by his hon. Friend the Member for Montrose. He deprecated all attempts at retrenchment which should impair the strength of the nation, but at the same time no persons could be found more ready to second all endeavours to promote a safe and well-considered economy than those who now sat at the Board of Admiralty. The hon. Gentleman concluded by moving that 40,000 men be employed in the sea service for the year.

Motion made, and Question proposed—

"That 40,000 men be employed for the Sea Service for thirteen lunar months, to the 31st day of March 1850, including 12,000 Royal Marines and 2,000 Boys."

MR. HUME believed there was always hope of men who confessed themselves in fault, and he had never heard a more candid confession from a public officer proposing an estimate. No one who had heard the details entered into by the hon. Gentleman the Secretary of the Admiralty showing how utterly without order, without system, the naval affairs of the country were conducted, could be surprised at the enormous expense that was incurred. The hon. Gentleman, no doubt, believed now what he said when he expressed his anxiety to effect a reduction; but he (Mr. Hume) could have but little confidence in such professions; for, during the thirty years he had sat in that House, he had never heard the Navy spoken of officially as in otherwise than a perfect state. He had never heard any admissions of error, but everything was always represented to be carried on with the greatest accuracy. But was it not a reproach to that House to have permitted such waste and profusion? His hon. Friend said that the country had began with a large fund, or capital, of ships in 1815. That might be very true; but would his hon. Friend do him the favour to look at the debates of 1817—1819—1820—1821, and 1822, and see what he (Mr. Hume) had done to do away with and prevent all that profligate expenditure. It was only the year before last it was said that nothing could be more perfect than the state of the Navy; and he should like to know how it was this new light, as evinced by the speech of his hon. Friend, had broken upon the Government. A Committee was appointed. True that Committee was very much abused at first, and he had been very much abused himself for proposing it; but after all he believed that the Admiralty owed their new lights to that Committee. Here he was glad to say that much of the credit was due to the noble Lord who was Chairman of that Committee; and he must in justice add that men of all classes of politics sat upon that Committee; but there were no differences of opinion among them as to the objects of the Committee, but on the contrary every disposition to acknowledge the necessity for the exposure of their errors. But what could be said in defence of such a system of naval administration as had existed for so many years? He did not wish to reflect upon any one personally. He believed that all that was wanted was that the noble Lord late at the head of the Admiralty should have known the truth, and what was really going on, and he would have acted with the single honesty and directness of purpose which formed part of his character. His hon. Friend the Secretary of the Admiralty had said much in the way of candidly admitting the errors that had taken place formerly; but he must tell his hon. Friend that he (Mr. Hume) doubted very much whether matters were much better now. One of the appeals he had constantly made in the House was this —Why go on thus from time to time increasing the establishments, and so induce men to join the service who expect to continue in it, and who left other employments in which they might have remained, when all at once a fit of economy came on, and they were discharged. Gentlemen took up the word economy very quickly; but he was not blaming the economy, but the extravagance. Why, the grossest libel ever uttered upon the naval administration of any country was to be found in the speech of his hon. Friend when he alluded to the state of the Navy in 1841. Was it possible, or tolerable, that that should be the case with an establishment so large, and expenditure so vast? Yet the result of the inquiry certainly led to that conclusion. Let his hon. Friend refer to *Hansard*, which was a tolerable record of the state of the Navy in 1840 and 1841, and he would find that everything relating to it was painted in the highest colours—the Navy, it was said, was never in a better condition. He (Mr. Hume) did not wish his opinions to be misunderstood upon this subject. He said the Navy of England ought to be a match for the whole world; it was the arm in which she was strong, and to keep that arm strong he would reduce other expenses. But in keeping up the Navy in that condition he would not enter into expenses such as those which had been incurred—such as building ships like the *Nelson*, for example. Was it to be defended that ships of the largest calibre should be allowed to lie and rot in the waters? For the manifold instances of profligate expenditure, he would not blame any particular person; they were owing to the system itself, and the truth was that the House of Commons had never done its duty as regarded inquiry into these things. Committees were now sitting in France, which would soon bring down the estimates of that country within reasonable limits. In Belgium, Committees were appointed, to which the estimates were every year referred. Every year those Committees did the same duties which the Committee appointed last Session in that House performed on a single occasion. He could not understand why there should be any objection to sending the estimates year by year before a Committee. He would put the Minister on his trial, so that he should explain and prove the necessity for every addition he required. Humble as he (Mr. Hume) had been, and undoubtedly persevering, these were no new doctrines with him—no doctrines of this day. His hon. Friend knew that his humble efforts in this direction had been made years ago. Let the past, however, be forgotten, and if only new and better courses were adopted, he should be satisfied. One charge made against him was that he grudged the half-pay. He did not grudge the half-pay; but what he did grudge was this—to see young men brought into the service to supersede good tried officers, who loved the service, and would do all in their power to promote it; and to see young men brought forward, setting aside other young men who had nothing to depend upon but the service, and who thus spent their lives upon half-pay, kept out of the performance of duties which they would have fulfilled with pleasure to themselves and benefit to the State. He should move, at an early day, for a return of the number of brevets, which would show what the country would scarcely believe—that the number of promotions had been doubled in late years, and that there had been more promotions in time of peace, in proportion to the number of officers, than in time of war. When that return came before the House, the immense sums of money spent would scarcely be credited. He appealed to the House not to be induced, by the statements of his hon. Friend, to reject the Amendment. The hon. Gentleman said, that in 1817 there were 19,000 men, and 125 ships; and if, just after a period when Europe had been convulsed, that number of ships and men had been found sufficient, was it not too much to be called upon to maintain the establishment now proposed—and that, too, when it was acknowledged that there were expenses which ought never to have been incurred, and building which ought never to have been begun? Look at Keyham, where there were works that would cost 1,200,000*l.*, and to the many other schemes and plans of which nobody could see either the object or the end. These were the pits into which the public money had been thrown, and it was really time to put a stop to such enormities. It was high time that a new course should be considered of. His hon. Friend boldly asserted that the naval administration had been carried on without patronage. He (Mr. Hume) believed, indeed, that Lord Auckland was the last man to do so, but nevertheless he could not acquit any Administration. Not that he blamed the individuals, but the political influence that was brought to bear upon the department by that House. There being no fixed establishment, no check or control whatever, the department was left to political power and influence, and these were exercised according to immediate wants and purposes. A strong Administration might reject all applications, but a weak one found it necessary to conciliate this man and that man, and thus the public suffered. If his hon. Friend wished for a history of the abuses of the Navy, let him look to his (Mr. Hume's) speech in 1827, and there he would find a rational proposition. In 1827 he proposed, instead of allowing the Lords of the Admiralty to do that which Her Majesty could not do, grant pensions and promotions *ad libitum*, that there should be something like an establishment beyond which no First Lord of the Admiralty should be allowed to go; and that it should not be competent to him to add to the list without coming to that House for a new establishment. Not that he was so little accustomed to a time of war as to desire to keep up a peace establishment if war was to be apprehended; but to be maintaining a war establishment, as we had been for the last twenty-five years, he could not regard otherwise than as a public abuse. While he was anxious to maintain the Navy of England paramount, and capable of beating the whole navy of the world, he objected to their building and proceeding in the way they had been without justifying the necessity. He thought the building programme for the next five years might be dispensed with if the Admiralty would only look well to the ships they had in ordinary and on the stocks. He regretted to hear a Minister say that the errors of a public department like the Admiralty had been no worse than those of railway companies. After the expenditure, and he might say robbery, which had taken place in some of those companies, the compliment of his hon. Friend was but a bad one to whomsoever it might apply. But he believed that during the last twenty-five years there had been as much waste in building in our dockyards as in any railway establishment in the kingdom. His hon. Friend had expressed the hope that the House would not support his Amendment; he would, therefore, state the grounds of it. He had taken the years from 1835 to 1839, and the average of ships and men in those years. The average number of men on board, within these five years, was 31,469. Why did he propose this period? Because in 1839-40, towards the close of the year, it was proposed to add 7,000 marines to the naval establishment, and he opposed it saying, "This is to enable Lord Palmerston to go to war in Syria." But he took those five years he had mentioned, year by year, and he proposed to give them the highest number of men they had had within those years, being 4,000 more than the average number of the whole of those years. Was he unreasonable in saying that the public service could be efficiently carried on with that number? He submitted to the House that his proposal of 35,000 men was grounded upon the most liberal principle. The Government had 208 ships in ordinary, and 252 in commission. There was not a country in the world with such a number, and yet we had an establishment literally built to rot and decay. He was asked how he provided for this reduction of 8,000 men. In 1835 there were in the Pacific, and on the south-western coast of America, fourteen ships, with 2,091 men. In 1848 there were twenty-six ships, with 5,431 men, being a surplus of 3,340 men. Then take the western coast of Africa, and the Cape of Good Hope. In 1835, thirteen ships, with 1,065 men, were all that were on that station. But what was the number in 1848? Thirty-seven ships, with 4,047 men, being an excess over 1835 of twenty-four ships and 3,582 men. That was the cost of the African blockading squadron, and he asked if there was a man in the House who had not come to the conviction that it ought to be discontinued? There had been Committees on this subject. Were they asleep? He believed confidently that from one end of the country to the other there was the most thorough conviction that we had utterly failed in effecting the abolition of the slave trade upon the coast of Africa; and not only failed, but added to the horrors of that traffic. And were the people of England to be saddled with one million sterling for that purpose? If the House were not of that opinion, they would support his Amendment. Take away the men at once—that was the way to deal with the matter. Then there was the Mediterranean. Sir George Cockburn had given his opinion that in time of peace all the force necessary there was a line-of-battle ship and six frigates. But what were the facts? In 1835 there were twenty-three ships, with 6,236 men, in the Mediterranean; and in 1848 there were thirty-one ships, with 8,337 men, being a surplus of 2,101 men. Take these statements only, and he appealed to the House whether the number of men serving the country in 1835 were not capable of doing so now? Take away the forty-three ships which had been added to these stations since 1835, and a reduction of 9,023 men would be effected. He only asked for a reduction of 8,000. American merchant ships were not protected by a large naval force, yet any insult to an American vessel was immediately redressed, whilst he could point out insults to British ships which remained unredressed to this day. What, he asked, did our commerce want with the great number of British ships of war on the coasts of Sicily and Naples? British mercantile houses in that quarter were diminishing in number, yet we had increased our armed force from twenty-three ships to thirty-one. If he had shown that 12,000 men could be set free, he maintained he had made out a strong case for reduction. In 1835, the ships in commission were 167; in 1837, 189; the average of the years 1835-7 being 176, with 24,300 men. There were now 230 ships in commission, and 43,000 men. These men cost 140*l.* a year a head. The Navy Estimates, therefore, were increased by nearly 3,000,000*l.* If then he could reduce these estimates by that amount, and also the Ordnance by the same amount, and at the same time effect a considerable reduction in the Army, he should be able to make out a case by which 10,000,000*l.* might be saved without starving the service, or depriving the colonies or the mother country of the protection which they required. The hon. Member then adverted in terms of ridicule to what he designated the absurd allegation of the Chancellor of the Exchequer that he (Mr. Hume) had proposed to reduce 10,000,000*l.* of taxation out of 11,900,000*l.*, the folly of which statement was only to be paralleled by a similar assertion of the right hon. Gentleman that he (Mr. Hume) had proposed to abolish all the counties in the kingdom. No man valued self-government more than he did. There were 59,000,000*l.* of revenue, and it was out of that sum that he proposed to make a reduction, and how would he do it? Four millions and a half were expended in collecting the revenue; the greater part of this he would save by abolishing the excise and stamp duties. 2,000,000*l.* would be sufficient. Then there was the Civil List. He would make the Crown lands produce a revenue equal at least to what was paid to Her Majesty in lieu of the Crown property which she surrendered to the country at the commencement of Her reign. Then, again, in the civil establishment, why should there be two, three, and four retired Chancellors receiving large pensions? And why should this country be paying a large sum of money to the King of Hanover? Was it not possible, too, by abolishing the mock sovereignty in Ireland to save 100,000*l.* a year? He was thus endeavouring to rebuke the extraordinary assertion of the Chancellor of the Exchequer that he (Mr. Hume) was foolish enough to propose a reduction of ten millions out of eleven, and at the same time to show how a very great saving in the public expenditure might be effected. He believed the time was coming when common sense and common decency would force these matters on the public mind, and that, although the country Gentlemen had that night voted against him, a majority would soon be found whose constituents would demand economy and retrenchment in all the public establishments. He considered he was making a very moderate proposition in asking, upon this first vote, a reduction of 5,000 men.

Afterwards Motion made, and Question put—

> "That 35,000 men be employed for the Sea Service for thirteen lunar months, to the 31st day of March, 1850, including 12,000 Royal Marines and 2,000 Boys."

SIR F. T. BARING rose and said, that he hoped his hon. Friend the Member for Montrose would not deem it a disrespect towards him, if he did not embark in a discussion of the budget with which he had concluded, and his proposition for reducing 10,000,000*l.* of the revenue, which, however, he might be permitted to say, he doubted if his hon. Friend would be able to persuade the House could be practically carried into effect. He would now confine himself as much as possible to that which was the vote proposed by his hon. Friend; and he hoped he should be successful in convincing the House that it would not be wise to adopt the hon. Gentleman's Motion. There was one observation which the hon. Gentleman had made in which he (Sir F. Baring) entirely concurred, and that was as to the extreme inconvenience which arose out of these ups and downs in the public service. It was a great misfortune, but possibly it could not be avoided, that this House was apt at one time to be liberal with the public expenditure, and at another time was inclined to run into the opposite extreme and take alarm at the amount of money expended, and to reduce the expense below what was actually necessary for the efficiency of the public service. He believed that, in many cases, the exercise of a certain amount of care on the part of the House would prevent improper and extravagant expenditure; and, on the other hand, he believed that a too rigid economy had frequently proved very expensive — that by too great a reduction they had raised the feeling that an increase was necessary, and that thus they had created the very evil of which they afterwards complained. He was not now about to take a review of the past. He was not at the time a Member of the

Government, and did not, on this occasion, appear to defend it. But he could take upon himself to say that it was not the fault of the Government of the day alone that the estimates were increased. It was that House and the country which had equally concurred with the Government in the increase of the public establishments; and if the Government did anything at all, it had rather exerted itself to abate alarm and to keep under the feeling in favour of those large establishments. The hon. Gentleman the Member for Montrose said that the Government must of course adapt itself to a certain extent to the feeling of the House and the country in a popular and free State like this; but, on the one hand, if the Government was made of squeezable materials, with regard to reductions, as the hon. Gentleman had stated, on the other hand, when the country and the House of Commons call out for an increase, they must not be surprised if the Government adopted the feeling of the country and acted accordingly. He admitted, as was shown to the Committee which had inquired into the Navy Estimates, and of which he was a Member, that, in the doing that which was in the main proper to be done, from want of system and want of care, there had been an expenditure which might possibly have been spared if they had proceeded more cautiously and with greater deliberation. At the same time, every one must be aware that the introduction of steam into the Navy had changed the whole face and nature of naval warfare; and no man would deny that if, unhappily, this country should ever again be engaged in war, it was absolutely necessary she should not be unprepared to enter into the conflict. To return, however, to the hon. Gentleman's Amendment. The hon. Gentleman had proposed to-night to make a further reduction of 5,000 men. Now, let him (Sir F. Baring) state to the House what the actual reduction was; for he did not think the hon. Gentleman had fairly laid before the House the real amount of reduction of force which had been effected by the present estimate. The House must be aware that a much larger number of men was borne upon the books than were actually voted; and he asked the Committee to look at what the fact was. In April, 1848, the number of men actually borne upon the books was 45,947, or in round numbers, 46,000; and it was proposed for the present year that 40,000 only should be voted, and that the number of men to be borne upon the books should be kept within the number voted. There was thus practically a reduction proposed of 6,000 men to take place in the course of the current year. Now, that of itself was a large number; but to this his hon. Friend proposed an addition of no less than 5,000, which, if adopted, would make in one year a reduction of 11,000 men. He (Sir F. Baring) did not think that his hon. Friend had fairly laid his grounds for effecting so extensive a reduction. He was quite prepared to consider any fair reduction which might be justified by circumstances; but he thought he should be deceiving the House if he led them to suppose that he believed that less than 40,000 men would be sufficient to meet the public exigencies. His hon. Friend had told the House that in 1841 the British Navy was in an efficient state.

Mr. HUME: I said that the papers laid upon the table of the House represented that the Navy was in an efficient state.

Sir F. BARING: Well, in 1841, the number of men voted for the Navy was 39,365. In 1835, no doubt, the number was smaller; but what was the fact? The Government in 1835 had tried the experiment of reduction, but it had not succeeded. They had found the amount of men voted on that occasion was not sufficient, and it had been increased by the general assent of the House. The number voted for the year 1837–38 was 34,165 men; but his hon. Friend forgot that the world had not stood quite still between the years 1835 and 1848. His hon. Friend said, let the House refuse the men, and they would get rid of the squadron on the coast of Africa; but he forgot that we were compelled by treaty to keep up that squadron. It was not for naval purposes that that squadron was kept up, but for great political purposes, quite unconnected with naval considerations. If they now reduced the number of men under the supposition that they could get rid of the African squadron, they would act under an erroneous impression; for the truth was, that they could not withdraw that squadron, as they were bound by treaty to maintain it; and the only effect of a reduction would be that they would have to withdraw their ships and men from important naval stations—from the real naval service of the country—for the purpose of placing them upon the African station. That subject, however, was now before a Committee. It was one of a grave character, which deserved ample consideration; and he trusted that the House would not, while a Committee on the question was sitting, be so far led away as to reduce the number of men for the service of the Navy with a view of getting rid of the African squadron. There were other grounds for the increase, which his hon. Friend had omitted to mention. There were five ships which we were bound by treaty to keep on the coast of China—an obligation which did not exist in former times. Those two additions to the service had created a necessity of from 2,500 to 3,000 men additional, which brought the amount up to 37,000 men—a number a little above that which his hon. Friend proposed. The number of men, however, was generally settled by the Cabinet; and for the present year it had been fixed before he entered the Cabinet. To a certain extent they must rely upon those who were at the head of the Administration to settle what was the course which the interests of the country required on the subject. It would be easy for him to show them by comparison with the forces of other countries that it would not be advisable for them to render their forces less effective than their present strength; but he felt that he need not enter into this comparison, which was always an invidious one. His hon. Friend told them that the reduction signified little to the commerce of the country. [Mr. Hume intimated dissent.] Then the hon. Gentleman did admit that our commerce required protection. Since he (Sir F. Baring) had been at the Admiralty—short a time as it was—he had not been without applications from different parties asking, and not unfairly in the present state of affairs, for the protection of a British ship of war; indeed, one of the first official duties he had performed this Session in the House was to answer a question from the gallant Officer opposite, the Member for Westminster, as to whether he would not allow a ship to be constantly stationed on the coast of California. He earnestly entreated the House to consider carefully before they followed the proposal of the hon. Gentleman. He was not one who was ready blindly to sanction unnecessary expenses, he had not been brought up in that school; but, on the other hand, he believed it would be a most unwise course if, after the large reduction which they had already proposed, the House should force the Government to reduce the amount of men below that which they proposed in the vote, and which they believed necessary for the real service of the country. He would not trouble the House with entering upon the other items to which the hon. Gentleman had referred. He would not mix up the question relating to the number of half-pay officers with the vote now proposed, which was on so different a subject. The hon. Gentleman had given notice of a Motion on that question, and when the subject came under discussion, he would take an opportunity of stating his views upon it.

Mr. WODEHOUSE said, the hon. Member for Montrose had complained upon this, as upon all similar occasions, that the country Gentlemen did not support him. He (Mr. Wodehouse) believed the reason why they did not do so was, that, giving the hon. Member perfect credit for the sincerity of his patriotism, he never enforced his views of reduction with a due regard to the circumstances in which the country was placed. He would endeavour to show this by a retrospect of the hon. Member's conduct, and he would begin with the year 1820. It should be borne in mind, that that year was one of failure everywhere, and of internal disturbance; and then it was that the hon. Member began his outcry against establishments of every possible kind. The distress then prevailing was ignorantly and stupidly ascribed to the corn laws, though it had no connexion with them. In that year, upon the third reading of the Mutiny Bill, they were warned to pause before passing the Bill, on the plea of the dangers that would arise from military despotism. The hon. Member persisted, and persuaded the Earl of Liverpool to reduce the Army by 20,000 men. The shame of that reduction rested upon the head of the Earl of Liverpool, not upon his friends; for in weak deference to the irrational clamours of the hon. Member for Montrose, he reduced the Army in 1822, and was obliged to restore it to its former establishment in 1825. In 1826, the right hon. Baronet the President of the Board of Control said he was not prepared to go all the length of the hon. Member for Montrose, but would insist upon a course of reduction being followed; but only thirty-four Members voted with him. The noble Viscount the Foreign Secretary, who was then Secretary at War, most ably combated the danger arising from reforms of every kind; and if he wanted additional testimony, he might tent that expenditure might be reduced, he must ask the House to consider what had led to its increase. That menace had arisen partly from the increase in the force of the Navy, partly from the introduction of steam into the Navy, and partly from improvident expenditure in and on the naval establishments. The expenditure of the Navy might be classed in a general manner under three distinct heads—namely, expenditure on account of the force of the Navy, expenditure in connexion with the establishments of the Navy, and the dead weight. First, under the head of expenditure on account of the force of the Navy, he only included the sums paid for wages and provisions; those were evidently in proportion to the numerical force of the Navy. For instance, that force had been increased from 26,500 men and boys in 1835, to 40,000 men and boys, according to the estimate of this year; in the same interval the votes for wages and provisions had increased in the same proportion—from 1,355,000*l.* in 1835, to 1,947,000*l.* this year. Therefore, if Parliament desired to reduce this head of expenditure, there must be a reduction in the force of the Navy. Under the head of expenditure on account of the naval establishments, he included the sums paid under the six votes of establishments at home and abroad, wages of workmen at home and abroad, stores, and new works and repairs. It appeared to him, that if the naval establishments were conducted in the most judicious and economical manner, the expenditure on account of them should be in proportion to the average amount of the force of the Navy. For in proportion to the number of seamen employed should be the number of ships in commission, and the amount of stores consumed; and in proportion to the average number of ships in commission, should be the repairs required, the new ships built, the wages paid to workmen, and the materials consumed. But the expenditure on account of the establishments of the Navy had increased in a much greater ratio than the force of the Navy; it had increased 150 per cent since 1835, though in that period the force of the Navy had only increased 50 per cent. In fact, it had increased almost exactly in proportion to the increase of the number of workmen employed in the dockyards. In 1834, the number of workmen so employed amounted to 5,848; last year they amounted to 13,894. The expenditure in 1835 was estimated at 1,000,000*l.*; this year at above 2,500,000*l.* Part of this great increase had, without doubt, arisen from the introduction of steam into the Navy; but no one who had studied the report of the Navy Committee could deny that there had been most improvident and ill-judged expenditure. First, with regard to sailing vessels. The Admiralty had gone on year after year building new ships, accumulating them to perish ingloriously of dry rot in harbours, which many of them had never left. In the last 20 years, 24 line-of-battle ships and 43 frigates had been launched: 13 of these line-of-battle ships and 14 of these frigates had never been employed; their hulls alone cost 1,200,000*l.*; and to keep them in repair must cost 50,000*l.* a year. On the 1st of January, 1848, there were in commission 17 ships of the line and 32 frigates; in ordinary nearly three times that number, namely, 54 ships of the line and 62 frigates. The naval force fit for sea for four years, without repairs, consisted of 55 ships of the line, and 21 fifty-gun frigates, to which might be added 42 smaller frigates and 90 sloops, and gun brigs in good condition, and 8 line-of-battle ships which might be sent to sea with a trifling repair. To man these ships of war, not one of which was a steamer, 83,000 men would be required. Therefore, the immediately available force of sailing vessels contained more line-of-battle ships than the aggregate number of those which fought at the Nile, Copenhagen, and Trafalgar. Notwithstanding this force, there were last year 20 new line-of-battle ships and 16 frigates building, and ordered in the dockyards. By the time they were ready for sea, they would have cost the country at least a couple of millions sterling; and to man them 20,000 men would be required. To this enormous force of sailing vessels must be added the steam navy, which was returned last year to the Navy Committee as consisting of 4 line-of-battle ships, 23 frigates, 48 sloops, and 28 gun vessels, in all 103 steamers, with about 32,000 horse-power, and a tonnage of about 100,000 tons. To man these steamers 14,000 men would be required. Therefore, to man the whole of the Navy of this country, which was immediately available for purposes of war, at least 100,000 men would be necessary. Three-fourths of this steam navy were in use, or ready for use, the remaining fourth was building. To build such a Navy by contract would have cost, without the armaments, from 5,000,000*l.* to 5,500,000*l.* It had probably cost the country a very much larger sum, for, since 1840, 2,000,000*l.* had been expended on the purchase and repair of steam machinery alone. A considerable portion of this money had been literally thrown away—for instance, on iron steamers. The last Government, with little knowledge and no experience on the subject, had hastily ordered, in the course of the years 1843, 1844, and 1845, twenty-one iron steamers to be built—nine of them were to be war steamers, and five of them were to be of the largest size. When completed, these war steamers would have cost, in all, half a million sterling; but when some of them were nearly ready, experiments at Woolwich—unfortunately too long delayed—proved that iron steamers were inapplicable to purposes of war. Some of them were then abandoned, while others were converted into troop ships; but for troop ships the original engines were too large, and smaller ones had to be substituted in their stead at considerable expense. Then came the question, what was to be done with the original engines, two of which had cost 70,000*l.*? If not immediately employed, they would in the course of a year or two, from the constant improvement in steam machinery, have become obsolete and worthless, and to dispose of them the project was conceived of putting them into two of our newest and best ninety-gun ships, which had cost 160,000*l.* This wise project, which would have converted two good line-of-battle ships into two bad screw steamers, did not meet with the approval of the Naval Committee. The Admiralty did not seem to have managed much better with their wooden steamers of war. The nine largest which had been built had been failures; a list of them, with a brief account of their incapacities, was given in page 875 of the Appendix to the Report of the Navy Committee, a few extracts from which he would beg leave to read:—

> "1. *Terrible*, horse power, 800 — greatest speed, 12 miles an hour—'should have done 16 miles an hour easily'—'cost 101,000*l.*'—'more useful one could be built for 90,000*l.* 2. *Retribution*, 800 horse power—'slow'—'said to be unserviceable altogether'—'crank.' 3. *Sidon*, 'slow'—'crank'—'cannot sail when empty.' 4. *Penelope*, 'a French frigate ruined'—'useless except as a troop ship.' 5. *Odin*, 'slow'—'cost 80,000*l.*'—equally good ship for less than 70,000*l.*' 6. *Avenger*, 'slow.' 7. *Amphion*, 'an experimental failure in machinery.' 8 and 9. *Cyclops* and *Gorgon*, both failed to carry their guns—the latter could not steam off a lee shore."

This was certainly a bad account of their nine largest wooden steamers of war. He hoped the Admiralty would be more fortunate with the twenty-eight steamers which were building, or ordered last year, and that, in building them, they had avoided the mistakes of their predecessors, and had not permitted any of their political subordinates to become amateur naval architects. There could be no doubt that a large steam navy was a very expensive thing, on account of the great original outlay in building steam ships, and in providing them with machinery, and, also, on account of the cost of repairs. It was said that about 6*l.* per horse power was annually required to keep steam vessels in repair. And, if so, the repairs of the steam navy would amount to at least 190,000*l.* a year. Under the pretext of making these repairs as economically as possible, large sums of money had been squandered on steam factories and steam basins; for it had been asserted that if such factories and basins were built, repairs could be done in them from 15 to 20 per cent cheaper than by contract. He very much doubted the correctness of this statement; for it was notorious that the amount of work done in public establishments was, generally speaking, very much less in proportion to the number of men employed, than in well-conducted private establishments. For in such private establishments there was always one or more persons whose pecuniary interest it was to extract from the workmen the maximum amount of labour that could be obtained; on the contrary, in public establishments it was the interest of all that there should be the maximum amount of idleness that could be permitted without incurring the risk of censure from head quarters; workmen, therefore, not unfrequently preferred employment at lesser wages in the dockyards, to employment at higher wages in private establishments, for the simple reason, that in the naval yards they were permitted to begin work later, to end it earlier, and to work less hard. In fact, time and labour were so little valued in the dockyards, that of late many precious hours had been consumed every week in the fantastic attempt to convert skilful artisans into ill-disciplined dockyard battalions. He could not, therefore, believe the assertion that when the steam factories and steam basins were completed, steam vessels could be repaired in them more cheaply than by contract. But, supposing that the calculations upon which that assertion was founded were correct, it should still be borne in mind that from these calculations the interest of the money expended in constructing steam factories and basins had been omitted, as well as the cost of keeping them in repair. Now, by the time that the steam factories, steam basins, and other works connected with them, were completed at Woolwich, Portsmouth, and Keyham, the sum of at least two millions and a half sterling would have been expended. The interest of the money so expended, and the cost of keeping the buildings in repair, would, therefore, nearly amount to what would be the whole annual cost of repairing the steam navy by contract. Therefore, instead of an economy of 20 per cent, there would be a loss of nearly 78 per cent by repairing steam vessels in the dockyards. He did not deny that it would be advisable to have the means of repairing steam vessels in one or two places—as, for instance, at Woolwich and Portsmouth; but to commence works at Keyham which could not be completed for less than 1,200,000*l.*, or 1,300,000*l.*, was a most ill-judged proceeding. With regard to the proposed cost of the works at Keyham, Parliament had been regularly and systematically misinformed. In 1844–5 Parliament was informed that they would cost 400,000*l.*; next year the estimate was 675,000*l.*; last year it amounted to 1,225,000*l.*; and it was notorious that that sum would be insufficient to cover the whole cost of the projected works. He thought he had sufficiently established his position, that there had been very improvident expenditure in the naval establishments. If the House wished to reduce the expenditure, it would not be sufficient to reduce the number of seamen in the Navy, but it would likewise be necessary to reduce the number of workmen in the dockyards, and to insist that no new works should be commenced without a full and complete estimate being laid before Parliament. The last head of naval expenditure to which he would refer, was that called the dead weight or half-pay pensions and allowances. The dead weight of the Navy, like that of the Army, depended upon the number of officers that had previously been employed. Therefore, with a long continuance of peace there should have been a steady and considerable reduction in its amount. This had been the case with respect to the dead weight of the Army, but not so much so with regard to the dead weight of the Navy. Since 1828 the dead weight of the Army had diminished from 2,915,000*l.* to 2,116,000*l.*, a decrease of 799,000*l.* or more than one-fourth. In the same period the dead weight of the Navy had only decreased from 1,557,000*l.* to 1,394,000*l.*, a decrease of only 163,000*l.*, or less than one-ninth. He attributed this difference in a considerable degree to an improvident exercise of the power of admitting cadets into the Navy. The number of cadets, and therefore the number of them annually admitted into the Navy, should to a certain extent have been in proportion to the number of ships in commission, and to the number of seamen employed. No such proportion had been observed; for instance, in 1837, when the number of ships in commission amounted to 189, with a complement of about 27,000 men, the number of entries of cadets was only 37; in 1846, the number of entries of cadets was sixfold, or 226, though the force of the Navy had only been increased one-third—namely, to 249 ships in commission with a complement of about 36,000 men, Now, this lavish admission of cadets could not be too severely condemned. It tended both directly and indirectly to produce an unnecessary increase of expenditure, and ultimately to create discontent in the Navy, for when the number of admissions had been excessive, the number of officers anxious for promotion and employment, but unable to obtain either one or the other, became much increased, while every rank in the Navy was overstocked with old and useless officers. Besides, there was a severe and constant pressure on the Admiralty for more promotion and for more employment, to relieve which recourse had been had to periodical promotions, which had considerably augmented the burden of the dead weight; and, besides, to find employment for officers, the Admiralty had often been tempted to put into commission more ships than the seamen voted were sufficient properly to man. The consequence was, that at times the Navy had been much under-manned, and this led to well-founded complaints, which had been followed not by a reduction in the number of ships in commission, but by an increase in the number of seamen, and a consequent increase in every branch of the naval expenditure. Hence vast fleets had been kept up and scattered over the face of the globe, affording to the Secretary of State for Foreign Affairs irresistible temptation to meddle in every question that took place on the terraqueous globe—to teach constitutional maxims in Portugal—to countenance the "divine right" of Kings in Sicily—to lead on a crusade against the slave trade in Africa—and to do, he knew not what, in the Rio de la Plata. Hence never-ending broils, which again afforded a pretext for more ships, more seamen, and more expenditure. Therefore, if Parliament wished to keep down the future expenditure of the Navy, it was of the utmost importance to limit as much as possible the number of admissions of cadets into the Navy. It appeared to him, therefore, that there were three main items upon which the expenditure of the Navy depended; and to these items Parliament should direct its special attention, with a view to a reduction of naval expenditure. It was impossible for Parliament actually to investigate all the minute details of naval expenditure, but it could easily ascertain what had been the number of seamen, the number of workmen in the dockyards, and the number of admissions into the Navy. By limiting the number of seamen, Parliament could, as he had already shown, limit the sums to be paid for wages and victuals, the number of ships that could be commissioned, and the amount of stores that could be consumed; secondly, by limiting the number of workmen in the dockyards, Parliament could limit the number of ships that could be built, the new works that could be done, the amount of wages to be paid, and the materials that could be used; and, lastly, by limiting the number of admissions of cadets, Parliament could limit the future amount of dead weight. It was, however, of the utmost importance that Parliament should not only fix the number of seamen, the number of workmen, and the number of admissions into the Navy, but should insist that the number so fixed should not, if possible, be exceeded. For of late years a very bad and unbusiness-like habit had sprung up of employing very many more seamen than Parliament had voted, and of having very many extra workmen in addition to those on the establishment. The consequence was, though year after year the Navy Estimates had been increased, yet generally the expenditure had exceeded the estimates; and a couple of years afterwards the House had had to make good the deficiency. For instance, in 1847, there had been a vote of 185,000*l.* for excess of naval expenditure in 1845-6; in 1848 there had been a vote of 245,000*l.* for excess of naval expenditure in 1846-7. This year there would be a vote of 324,000*l.* for excess of naval expenditure in 1847-8; and in all probability there would be a similar vote next year for excess of naval expenditure this year. Thus for a series of years the House had been regularly and systematically misinformed with regard to the extent and cost of the naval establishment; and the Admiralty, being subject to little or no control, had fixed the establishment according to its own pleasure, rather than according to the will of Parliament. It was no wonder, therefore, that there had been great and increasing expenditure in the Navy. To prevent such consequences in future, he repeated that the House ought, as far as possible, to fix the number of seamen and workmen to be employed, and to insist that the number so fixed should not be exceeded without the excess being made known to the House, and good reasons assigned for it. Now, with reference to the vote under the immediate consideration of the House, he would ask, what number of men were required for the Navy? Last year, the vote for 43,000 men included boys and marines; but the number of men borne on the establishment had exceeded the number voted by 3,000 or 4,000 more. This year the vote was to be for 40,000 men, including boys and marines, and the number of men borne on the establishment were not to exceed the number to be voted. Therefore there was to be a reduction of 6,000 or 7,000 men in the naval force as compared to that of last year. This, he acknowledged, was a good beginning, but he thought a further reduction to an equal if not larger amount in the force of the Navy could easily be made in the course of this year without detriment to the interests of the country. He should propose to make it in the naval force on foreign stations; and he would confine his remaining observations to showing to what extent that force ought, in his opinion, to be reduced. There were six foreign stations, exclusive of the Mediterranean, which was generally considered a home station. Now, for various reasons the naval force on most of the foreign stations had been very much increased since 1841. On the average of the seven years ending with 1841, the naval force on the foreign stations amounted to eighty ships, with a complement of about 10,000 men. Last year it amounted to ninety-six ships, with a complement of 16,368 men. Now, the Navy Committee had observed, that—

> "Whatever cause may have led to the increase of force on any particular station, when once the force had been augmented, there was too frequently some unfortunate hindrance to its subsequent reduction."

This statement was perfectly correct. He would begin with the station of the East Indies and China, which included New Zealand and Australia. On the average of the five years before 1840, ten ships, with a complement of 2,000 men, had been sufficient for that station. Then came the war with China, and the number of ships and men had been doubled, and even tripled; though on the termination of that war some of the ships had been removed, yet he found that last year there were on this station twenty-five ships, with a complement of 4,573 men, which must have cost the country at least 400,000*l.* a year. Now it appeared from the report of the Navy Committee, that eighteen ships, with a complement of about 3,300 men, would have been quite sufficient for that station; of these ships three might be employed off the shores of New Zealand and Australia — seven in the Chinese seas—two in the Persian Gulf—five for reliefs or on special service, and the Admiral's ship wherever its presence might be required. This amount of force would far exceed what we had in the East before 1840. There could be little doubt that it would be ample for all purposes of protecting our trade; and it should also be borne in mind that the East Company had a force of twenty steamers fitted for purposes of war; therefore he would presume to recommend to Her Majesty's Government to remove from that station seven ships, with a complement of about 1,300 men. Next, he would direct the attention of the House to the two stations, formerly united, of the Pacific and the south-east coast of America. On the average of the seven years before 1842, seventeen ships, with a complement of 2,200 men, were sufficient for these stations. But then came the Oregon question, the disputes about Mexico, and the interference on the Rio de la Plata, and the naval force on these stations had been, in consequence, more than doubled. Though, however, the Oregon question, and the disputes about Mexico, had been settled, yet last year the force on these stations amounted to no less than twenty-five ships, with a complement of 5,431 men, which must have cost the country at the rate of half a million a year. Now, it appeared to him that half of that force would be ample; for, when reduced to one-half, it would still exceed the force on those stations in any one of the seven years before 1842. He would therefore recommend to Her Majesty's Government to diminish the force on these stations by ten ships, with a complement of 2,700 men. Lastly, he would call the attention of the House to the two stations, formerly united, of the Cape of Good Hope and the west coast of Africa. On the average of the seven years prior to 1842, eighteen ships, with a complement of about 1,600 men, were sufficient for those stations. Then came the attempt to put down the slave trade and the Kafir war; and in consequence the force on those stations was nearly tripled. Last year it amounted to thirty-seven ships, with a complement of 4,647 men, which must have cost the country at the rate of 450,000*l.* a year. But as the Kafir war had terminated, and the attempt to suppress the slave trade had signally failed, he would recommend Her Majesty's Ministers to reduce the force on these stations to what it was before 1842, and to remove about nineteen ships with a complement of about 3,000 men. Thus it appeared to him that, without any detriment to the interests of the empire, Her Majesty's Ministers might remove about thirty-six ships, with a complement of about 6,000 men, from the five stations, of the East Indies and China, the Pacific, the south-east coast of America, the Cape of Good Hope, and the west coast of Africa. The force which would still remain on these stations would amount to about fifty-two ships, with a complement of about 7,600 men, and would considerably exceed the force which was employed on those stations before 1840. By making these reductions, he calculated that there would be an immediate reduction in the naval expenditure to the amount of at least half a million a year; and there would likewise be an ultimate reduction of expenditure to an amount which he could not estimate. For, if we reduced our force on foreign stations, we should not require to build so many new ships, nor to keep so many ships for reliefs. He had said that he should confine his remaining observations to showing how the naval expenditure might be reduced, without detriment to the interests of the empire, by reducing the force on foreign stations. He should now, therefore, sit down with again expressing his hope that Her Majesty's Ministers would steadily pursue the course of economy and retrenchment which they had so creditably begun.

Captain M. BERKELEY said, the question was, whether 5,000 men could be taken away from the Navy without impairing its efficiency? The question could be far better decided by naval officers than by hon. Members who had addressed the House. The hon. Member for Montrose had charged the Government with keeping up a war establishment in a time of peace. Now the House had been told by every speaker that the proposed number of 40,000 men was only one-fourth of the number which would be required to man our Navy in a time of war. If, then, they took this fourth part of practised seamen, and gave a proportion to each man of war, making up the other three-fourths with raw and inexperienced hands, he was of opinion they would find that the ships would not be too well manned to go into action. The hon. Member appeared to think they could put up sailors like ninepins. If they counted number instead of quality, they would find out their mistake when it was too late. The hon. Member for Montrose found fault because several ships were lying up in ordinary in harbour; and, in the same breath, he proposed to take down the number of men wanted to move those ships. But if these ships were brought forward as the hon. Member appeared to desire, they would each cost the country 10,000*l.*; and so much, therefore, for the hon. Gentleman's economy. He believed that recently more improvements had been effected in our men-of-war than had ever before taken place in the same period. With regard to the Surveyor of the Navy, in defending his conduct against the attacks made upon it, he (Captain Berkeley) was only proclaiming what he believed to be the fact, when he said that he had done more good for the service than any man in England.

Mr. SIDNEY HERBERT believed that the speech of the hon. Baronet the Member for Southwark was calculated to convey a very incorrect impression of the real question that was before the House, and he wished, therefore to take that opportunity of correcting some of his misrepresentations. The hon. Baronet told them that there had been a profligate system of expenditure pursued in the system of building ships. Now, he wished to say one word upon this subject, because he was a party to that system, having been at the Admiralty during part of the time that efforts had been made to construct a steam navy, which was now happily completed, and which enabled reductions to be made. The hon. Baronet asserted that orders had been issued to build twenty-one iron war steamers. Now, nothing could be more disingenuous than such a mode of stating the question. He stated that the Admiralty had ordered twenty-one war steamers to be built of iron at the time that doubts were entertained by professional men whether iron was a proper material for vessels of war. But he did not state, that with the exception of six, every one of these vessels was intended for the packet service, the same as private companies were now using; for he was happy to observe that the companies sailing these vessels from Holyhead, Folkestone, Dover, and other ports, were all using iron steamers. With respect to the six war steamers, he would say that experiments as to their utility were made both at Woolwich and Portsmouth. The experiments at Portsmouth were made on an old iron hulk, whose rivets were rusty and worn so that they could be pushed out with a walking stick, while the experiments at Woolwich were fairly tried and held to be so far successful. Then there were only two men who had ever commanded iron steamers in action—Captain Hall of the *Nemesis*, and Captain Charlewood, and the opinion of both these officers was favourable to the employment of iron steamers. The hon. Baronet might depend upon it that the merit or demerit of iron vessels of war was still a *vexata questio;* their failure had not yet been proved. Then the hon. Baronet read a list of steamers—he (Mr. S. Herbert) knew not where he had got it—describing our steam navy as the most contemptible steam navy in the world. He said there was the *Terrible*, a slow ship, which ought to go sixteen miles an hour—certainly a startling rate of progress for a war steamer; but instead of that she only went twelve knots an hour. He would not enter into a personal dispute with the hon. Baronet, but he would ask what was the opinion of professional men? He had the pleasure of seeing the fleet in the Mediterranean last year, and he saw no ship there that could surpass the *Terrible*. There was only one captain who said his ship could surpass the *Terrible:* he saw an

American captain, and when he (Mr. S. Herbert) asked him how fast his ship could go, he said he could not tell, for it would be quite dangerous to put his ship to her utmost speed. But the hon. Baronet did not confine himself to steamers. He said that besides steamers, there was also a profligate expenditure in the building of line-of-battle ships, and that we had more line-of-battle ships now than we had when the battles of Aboukir, Copenhagen, and Trafalgar were fought. Now, let the House compare the number of ships in former periods with the present. In the year 1792, which was a favourite year with hon. Gentlemen opposite, we had 127 line-of-battle ships; in 1815 we had 192; this year year we had only 71. [An Hon. MEMBER: How many iron line-of-battle ships have we now?] There was no such thing as an iron line-of-battle ship, and in all probability there never would be. In 1793 the actual number of line-of-battle ships in commission was greater than the number we now proposed both in commission and in ordinary. The number of frigates in 1792 was 149; in 1815, 288; this year it was only 73. He did not think, therefore, that they were extravagant either in their line-of-battle ships or their frigates. The estimate laid before the Committee of last year by the late Lord Auckland was a very good one, but in order to secure that estimate of 50 line-of-battle ships, and a certain number every year upon the stocks, it must be remembered that his Lordship meant first and second rates, and not inferior vessels, otherwise they would not have 71 line-of-battle ships that they could confidently send into action. The hon. Member for Montrose said that he could not understand why they went on building more ships while they had such vessels as the *Nelson* broken up, without ever having once been in action. Why, the hon. Member might as well complain that an officer was useless because he was not shot. They had all reason to be thankful to Providence that these ships had not been used, but it was necessary to have these ships ready in case of an emergency; because, as the gallant Officer opposite explained, if they chose to commission a fresh ship every time that one was required to be commissioned, the extra cost could not be less than 10,000*l.* The whole of these statements made to depress the Navy—he would not say from what motives they were made—were not borne out by the opinions of impartial persons, whether of this country or foreigners. They had been asked why they did not build ships as good as merchantmen? It was said that the ships built by Messrs. Wigram and Green were the most admirable in the world—that they looked like frigates—that when put into the water they floated exactly according to the calculated line of flotation—that in short, they were perfection. Now, he could tell the House that these ships, which were so much, so justly admired, were all built from the lines of the *Inconstant* frigate, which had been designed by Admiral Hayes. He supposed that, in the language of the present day, Admiral Hayes would be designated as a dilettanti and amateur shipbuilder. For his own part, he did not recollect a single ship now afloat that had been built by a dilettanti shipbuilder; every ship had been built either in Her Majesty's dockyard, or by the builders of merchant ships. [Mr. HUME: Mr. White, of Cowes.] Mr. White and his son had built some of the largest merchant steamers, and he did not believe that there were more scientific builders in the world. He thought he had now disabused the minds of the Committee of the statements of the hon. Member for Southwark, and had shown that the Admiralty had not built an extravagant number of ships, or built them in a manner that reflected discredit upon themselves. When they came to the vote for works, he thought he should be able to justify what had been done in that department on the same grounds. With respect to the admission of cadets into the service, his opinion was known, having stated it before the Committee of last year. He wished now to make a single observation on the form of the present estimate, to which he wished to call the attention of the House, because he thought it was drawn up in a manner fitted to mislead, though he did not think it was done intentionally; but he could not understand the principle on which the column of last year's estimate was filled up, not with the money actually voted last year, but with the estimates which had been submitted to the House, but which were afterwards withdrawn. He held that that estimate was as much non-existent as any other estimate which might have been drawn and disapproved of by the Admiralty, without ever having been submitted to the House at all. He knew that the estimate in its present form was fitted to mislead, because he had seen several calculations based upon it, and he had made a calculation himself, which certainly did not agree with any of these.

Mr. WARD explained that it was impossible to frame the estimates in any other way on account of the appropriations in aid, which were brought for the first time into last year's estimates.

Mr. COBDEN: Sir, I think hon. Gentlemen opposite could not have avoided all allusions to the gross mismanagement—I think, the profligate mismanagement—of our naval department; for I know that every Member of the Committee of last year, of whom I was one, left it with the impression that there had been gross mismanagement in the dockyards. But I so far agree with some hon. Gentlemen opposite, that I do think, after all, that if you maintain the present system, you must make up your minds to a great amount of mismanagement. I mean by a great mismanagement, a waste of those ships in ordinary—those vessels which are to be ready to be used in case of war; you must make up your minds to that, if you maintain the present system. There is a great want of management in all Government establishments at present. It seems to me that the larger the establishment is, the greater the waste. You cannot, do what you will in Committees, get a Government, either in the matter of shipbuilding or anything else, to do things in the same way as private individuals. And I quite agree also that, if you are to keep ships of war, I would rather have them in ordinary than afloat. I would rather see them out of commission, idle and useless, than fighting; and when you talk of the evil of not launching ships already built, let me say that that is the smallest evil, both in the view of the humanity, and in the matter of actual expense. But, if you will effect any reasonable reduction in the cost of your Navy, it must be by making up your minds to change the system, and to content yourselves with a smaller establishment. And when I say a smaller establishment, I do not mean a less efficient one. There is a great deal of misconception on this subject. There is a confusion of ideas in saying that when we speak of a smaller, we are the advocates of a less efficient, establishment. That is a confounding of words; for I believe it to be quite possible that you may have a small establishment more efficient than a large one. Now, I will take the American navy. There was a ship of war, the frigate *St. Lawrence*, which arrived at Southampton; and will anybody say that she was not a model of discipline and equipment? Well, but that was a specimen of a small navy, which does not cost the one-quarter of what our Navy costs us; and therefore do not let us be answered by people who exclaim that we are for impairing the efficiency of the Navy. I am for keeping it up; and I will tell you how; and it is the result of some investigation I have made into this matter. I would pay our men and officers better than they are now paid. I would pay them as much as the Americans pay their officers and sailors, which is 30 or 40 per cent more than we pay. I would not have a ship more at sea than I could keep constantly at work, because in seamanship, as in everything else, if you will keep people in idleness, you will never find them efficient. Well, this is the mode in which I would carry out a diminished peace establishment for the Navy. The hon. and gallant Member for Gloucester speaks as if this was a question which civilians could not entertain. Why, it is a question which we can all entertain. If it were a question of the building, or manœuvring, or disciplining of ships, I would not give any opinion about it; but when you come to the question of how many men you ought to have—what the size of your peace establishment ought to be—these are questions which every civilian is as competent to judge of as any nautical man. What do we keep up our present large establishment for? I never heard that answered as yet in such a manner as to satisfy me. We cross-examined the late Earl of Auckland on the subject, and his answer was unsatisfactory. He fell back on the political state of the world, or something of that sort; but we could not get a specific reply from him. Many think you want a large naval force because it cannot be created in a short time. The hon. and gallant Captain opposite said you cannot set up seamen like ninepins. This was meant to infer that you must keep up a large establishment in times of peace, because you cannot impress men in case of war. Now, at the breaking out of the French war, you had, on the 1st January, 1793, in commission 22 ships of the line, 41 frigates, 18,739 men. That was before the breaking out of the war with France. On 31st December, in the same year, after the war broke out, you had 78 ships of the line, 101 frigates, and 76,565 men. We had an increase of 58,000 seamen in less than a year—in fact, a few months after the war broke out. [Captain BERKELEY: By impressment.] The gallant Captain says "by impressment." I admit you cannot have impressment again; for if you had, your pressgang would be shot, and public opinion would sanction it. If such a thing could be justified, it certainly would be when a man came to drag you from your home, and force you into the service. No, you must be prepared to pay men high bounties when you want them, and when in the service to pay them as much as the American naval seamen, and by that means you will make the service popular, and rather desired than shunned. The right hon. Baronet the Member for Portsmouth says it must be a matter of confidence. Good heavens! why are we brought here, or why is this subject submitted to us, or who is responsible for voting this money? For if you vote the number of men now demanded, you must of necessity vote the 6,000,000*l.* and odd of estimates. Well, then, we are responsible for voting this money, and if we do so Government will fall back upon us hereafter, and accuse us of consenting to the number of men; just as my hon. Friend the Member for Sheffield has taunted the Member for Montrose with having some ten or twelve years ago voted for the number of men demanded, without any protest. The right hon. Baronet said it should be done with reference to other countries, and that he could mention facts to justify it on that ground; but he forgot to give us those facts. I suppose America is one of the countries which he wished to compare with this. Now, I hold in my hand a report of the Secretary of the Treasury to the Congress, giving the expenditure under all the heads for the coming years 1849–50. We have had a great deal in the way of vague statements respecting the Russian, French, and American navies from gallant admirals and captains, but I now quote from an official paper:—

> "American vessels of all sizes in commission, 47; only one line-of-battle ship on foreign service — three others employed as receiving ships; in ordinary, 21; on the stocks, 11: total, 79."

While we have about 440. The United States is the only maritime rival that England can have. She has nearly as large a trade with Europe as we have with the Continent, and her vessels are employed nearly all over the globe. I heard the case of France quoted by the hon. Member for Sheffield. He has brought forward France before to justify large estimates; but I believe he has greatly exaggerated the state of the French navy. I have here an extract from a French journal, the *Constitutionnel*, of September 20, 1848, giving a summary of the actual condition of the French navy. The article begins by reciting the royal ordinance of the 22nd of November, 1846, which fixed the naval peace establishment—

> "At 40 ships of the line, 24 afloat, and 16 on the stocks; 50 frigates, 40 afloat, and 10 on the stocks; 136 vessels of an inferior class afloat; 100 steam vessels, all afloat, and two floating batteries, with from forty to fifty guns: total, 328 ships. In November, 1846, the Navy Board, in order to complete the projected establishments, had to construct about 17 ships of the line, 27 frigates, 85 inferior vessels, 32 steam boats, and 2 floating batteries."

It demanded seven years and 90,000,000f. —3,700,000*l.*—to execute the works. The delay and the money were granted. The year 1847 passed away in preparatory measures. The works in the arsenals were conducted slowly and confusedly. The expenses were ill calculated, and the sum voted for the wages of the operatives was exhausted before the conclusion of the works which those wages were intended to represent. The money allotted for the purchase of materials was consequently applied to the payment of wages. In 1848 the naval administration appeared disposed to display more activity and more order. A statement of the constructions to be executed during the present year, to make up for lost time, was laid before the public. The revolution of February took place, and the new Government lost sight of the navy in the midst of the difficulties which surrounded them. The French navy now consists of 24 sail of the line afloat, 38 frigates, and 86 steam vessels. Of these 24 ships of the line, 12 require to be replaced in consequence of their age. Of the 38 frigates, there are 19 condemned; and of the 86 steamboats not more than 70 are effective. The situation of the French fleet is, in fact, such as it was on the 1st of January, 1846. As compared with the fleet of Great Britain, that of France is insignificant. As compared with other maritime Powers, it comes after Russia; and if the 12 ships of the line and the 19 frigates are deducted, the French fleet falls short of those of Sweden and Holland. The *Constitutionnel* next observes that it is impossible the French fleet can be improved during the present year, inasmuch as the Minister of Finance requires a diminution of 30,000,000f., 1,200,000*l.*, in the navy budget. That announcement has caused the utmost consternation amongst the operatives employed in the French dockyards. This is the very case of the French establishment, quoted by the hon. Gentleman, as a reason why we should increase our Navy. Russia has also been made the bugbear; but how can she be our rival? Every protectionist who spoke upon the navigation laws has said that our maritime superiority and supremacy of the seas depends upon our mercantile marine; and is it not well known that Russia has no mercantile marine? She has in the Baltic and Black Sea a great number of men who can only be called semi-sailors, for half the year they are frozen up in ports doing the duty of soldiers. But have we any fear of an attack from Russia, or is there a possibility of rivalry on her part as a maritime State? Why, if you considered the case as between Russia and America, and if America had not a single war ship afloat, and that war was declared between them, would you not say still that America would soon destroy the Russian fleet if it ventured out of her harbours? Russia knows full well it is a question of seamen; and if you have sailors, there is no necessity for being always armed against her. Hon. Members may say, "Oh, it is only a question of 5,000 men." Yes, but that involves a question of some 500,000*l.* or 600,000*l.*, sufficient to meet the views of some of those other hon. Gentlemen, who want a removal of the hop duty, or the duty on soap or paper. We ought to bear in mind that when we are voting the estimates, we are voting for excise and other obnoxious duties. My hon. friends near me have fully demonstrated the way in which you can save these men without any danger to our naval superiority or efficiency. But they omitted one fact, and here it is. By a return on the table of the House it appears that, for the last six years they have had, on an average, 2,000 men in the Rio de la Plata, and an average of 10 vessels of war—all for the purpose of interfering between two petty States, whose population would not equal that of some towns in the north of England. Now, was there ever such folly as that? I may be told that English merchants and consuls sent for them, and that they are to blame for our interference in the Rio de la Plata; but that does not justify the Government if they have been wrong in yielding to their request. If English merchants and consuls make such unreasonable requests, I would tell them that we don't keep ships of war to interfere in such cases; that it is too expensive a game; and that we cannot afford it. Then there is China. We are carrying on our trade with China at an enormous national loss. Our annual export trade of 2,000,000*l.* or 3,000,000*l.*, is burdened with an expenditure of 400,000*l.* or 500,000*l.* a year. An hon. Member says 600,000*l.*, but the expense for our naval and military force is at least what I have stated. Better far let some other country bring your tea, and take back your goods. The right hon. Baronet the Member for Portsmouth says, you must keep five ships on the China coast by treaty. But that was your own treaty, and imposed at the point of the bayonet. There would, therefore, be no breach of faith in withdrawing these ships. Indeed, the right hon. Baronet the Member for Tamworth told us, on a former occasion, that those ships had been withdrawn, and the duty tried to be performed by steamers; but that the ships were renewed, because the consuls told them it was necessary. These consuls have proved bad advisers in many cases. I can see no danger whatever in the proposed reduction of 5,000 men. Of all the extraordinary reasons for keeping up the present force, that of the hon. Member for Bridport is the most so. He would maintain it, because of his confidence in the noble Viscount the Secretary for Foreign Affairs, and because he wishes him to have a roving commission to set up liberty and institutions in all parts of the world. Now, although I much admire our institutions, however I may desire to amend them, I do not think we should send them, like our calicoes, to other countries—particularly at the point of the bayonet. Something has been said of 1835, and the right hon. Baronet the Member for Portsmouth was very jaunty on the subject, alleging that it must be thrown over altogether. But he and the hon. Member for Sheffield say that that year presented a mere struggle for place and popularity, and that, therefore, the reduction of that year ought not to be referred to—that the estimates had been reduced below the proper standard, and had afterwards to be proportionately increased. I should certainly be sorry to belong to a Whig Government, and make such an excuse as that; for the Government of the Duke of Wellington was overturned on the plea of extravagance, and the Government of the Whigs established in its place on the express ground of retrenchment. Yet they now turn round and say that the saving of 1835 was not a legitimate one—that they sold off old stores, reduced the estimates unjustifiably low, and that that year should never be alluded to as a standard. I shall certainly never cease to allude to it, nor cease to advocate a return to the expenditure of that year—but I shall do so by steps, and we have made one already; and with that view I shall now vote for the Amendment of my hon. Friend the Member for Montrose.

Captain HARRIS: The hon. Gentleman who had just sat down had read an account from a French paper of the state of the French navy. Now, he believed that the true basis on which we ought to proceed was to keep our armaments, looking relatively to the navy of France. The hon. Gentleman had read the particulars of the number of ships building, but he did not state the number of men the French Government had voted, nor the men who had been voted for the navy this year. The number of men voted this year was 29,000, and 11,000 marines; making a total of 40,000 men; and they could, within a few weeks, have 20 sail of the line ready, with 29,000 men. With respect to impressment, he must remind the hon. Gentleman that it was very easy to make appeals to the country, either from the hustings, or in this place in Parliament. He (Captain Harris) was as much opposed to the system of impressment as any man could be, and he hoped it would never be resorted to again. He, however, thought it was the duty of the Admiralty to take into their most serious consideration some great and comprehensive plan for manning the Navy. He had brought this subject under their notice last year and the year before, and he thought it of such paramount importance that he should not cease to agitate it. He bore testimony to the great merits of the late noble Earl who presided over the Admiralty, who had always evinced the most lively interest for the service; and any one who looked over the evidence of that noble Lord would see that that was the feeling which animated him. He again called the attention of the House to the necessity of adopting some comprehensive plan for manning the Navy during this year, and in a period of peace, and before we could be hurried into a war. The system suggested by the right hon. Baronet the Member for Ripon gave a most excessive bounty, which would entail upon the country an expense of 200,000*l.* at the breaking out of a war. Might not some plan be matured which would induce persons to enter into the service? The system of registration had been found to be efficient, without having recourse to impressment.

Colonel SIBTHORP rose principally for the purpose of asking when that part of the discussion was likely to be touched upon which referred to the salaries of the officials of the Admiralty, because he did not hesitate to say that he should feel it to be his painful duty to call the attention of the House to that important subject. He would leave the hon. Member for Montrose himself to settle his Motion with Her Majesty's Government. With respect to that Motion, he would only observe that certain parties occasionally quarrelled with each other, and that out of those quarrels occasional good was derived by the public. He left the hon. Member to the First Lord of the Admiralty, the Secretary of the Admiralty, and his friends.

Colonel THOMPSON could very well comprehend that the Government, if they chose, might find means of doing without the 5,000 men in question. Agreeing, however, with his hon. Friends on this point, he did not pledge himself to all the details, and especially to what had been said about the African squadron. He believed that the spirit was still breathing which had led to the providing that squadron, and that a discussion of the question would end in demonstrating something very different from the African squadron being given up by everybody.

Captain BOLDERO said, it was a well-known fact that more than two-thirds of our troops were employed in the colonies. Now, the system of transport was most injurious to the British service. The hon. Member for Montrose proposed a reduction of 5,000 men; and if they were to employ some of the officers now on half-pay to command ships which could be employed to convey troops, the soldiers would be made more comfortable, there would be less danger, and less expense to the Government if they employed Government vessels. We were about to send troops out to India, and, if matters should turn out unfortunate, a large body of troops would be sent out to India, and 7,000 tons of shipping would be required to be taken up in the river; but he defied the Government to find 7,000 tons of A 1 ships; they must charter ships of the class A 2, and A 3, which were bad vessels to send out our troops in. He would ask what were the objections to employing more of the ships of the Navy? He might be answered, perhaps, that the East India Company paid the expense of the transport of troops to India, but it cost them 100*l.* to send out every European soldier; and that it was a great favour to allow them to go there. But if the Government would send out the troops, charging the East India Company so much per head, their ships would be employed, he would not say at a profit, but the comfort of the men would be much increased, and the officers would be benefited by seeing service.

ADMIRAL DUNDAS said, that the troops were now sent out at a much cheaper rate than they could be by his hon. and gallant Friend's suggestion, because the vessels now employed brought a cargo home, whereas the men-of-war could not bring anything home.

MR. HUME wished to observe, as the squadron on the coast of Africa had been alluded to, that the anti-slavery party in England did not approve of, but on the contrary were entirely opposed to, the maintenance of that squadron on the African coast.

The Committee divided:—Ayes 59; Noes 144: Majority 85.

List of the AYES.

Adair, H. E.
Aglionby, H. A.
Berkeley, C. L. G.
Blewitt, R. J.
Bouverie, hon. E. P.
Bright, J.
Brocklehurst, J.
Brotherton, J.
Cayley, E. S.
Clay, J.
Clay, Sir W.
Cowan, C.
Duncan, G.
Ellis, J.
Ewart, W.
Fergus, J.
Fitzwilliam, hon. G. W.
Fordyce, A. D.
Gibson, rt. hon. T. M.
Glyn, G. C.
Greene, J.
Grenfell, C. P.
Hastie, A.
Headlam, T. E.
Henry, A.
Heywood, J.
Heyworth, L.
Hindley, C.
Hutt, W.
Kershaw, J.
King, hon. P. J. L.
Lushington, C.
Marshall, J. G.
Marshall, W.
Milner, W. M. E.
Moffatt, G.
Molesworth, Sir W.
Morris, D.
Mowatt, F.
Pechell, Capt.
Perfect, R.
Pilkington, J.
Reynolds, J.
Ricardo, O.
Sidney, Ald.
Smith, J. B.
Stuart, Lord D.
Sullivan, M.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Trelawny, J. S.
Urquhart, D.
Walmsley, Sir J.
Westhead, J. P.
Williams, J.
Wood, W. P.
Wyvill, M.

TELLERS.

Hume, J.
Cobden, R.

List of the NOES.

Abdy, T. N.
Acland, Sir T. D.
Adair, R. A. S.
Alexander, N.
Anson, hon. Col.
Anson, Visct.
Armstrong, R. B.
Arundel and Surrey, Earl of
Baines, M. T.
Bankes, G.
Baring, rt. hon. Sir F. T.
Baring, T.
Bellew, R. M.
Bennet, P.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Blackall, S. W.
Blair, S.
Boldero, H. G.
Bourke, R. S.
Boyle, hon. Col.
Brockman, E. D.
Bunbury, E. H.
Busfeild, W.
Buxton, Sir E. N.
Campbell, hon. W. F.
Carew, W. H. P.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Childers, J. W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clive, H. B.
Cobbold, J. C.
Coke, hon. E. K.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. B.
Dawson, hon. T. V.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Ebrington, Visct.
Edwards, H.
Elliot, hon. J. E.
Farrer, J.
Ferguson, Sir R. A.
Foley, J. H. H.
Fortescue, hon. J. W.
Gordon, Adm.
Grace, O. D. J.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Earl
Gwyn, H.
Hallyburton, Lord J.F.
Harris, hon. Capt.
Hawes, B.
Hay, Lord J.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Heneage, G. H. W.
Herbert, rt. hon. S.
Hervey, Lord A.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Hollond, R.
Hood, Sir A.
Hope, Sir J.
Hotham, Lord
Howard, Lord E.
Howard, hon. C. W. G.
Howard, P. H.
Jermyn, Earl
Jervis, Sir J.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Legh, G. C.
Lemon, Sir C.
Lennox, Lord H. G.
Lewis, G. C.
Lindsay, hon. Col.
Littleton, hon. E. R.
Maitland, T.
Mandeville, Visct.
Martin, J.
Martin, C. W.
Masterman, J.
Matheson, A.
Maule, rt. hon. F.
Melgund, Visct.
Miles, W.
Mitchell, T. A.
Mulgrave, Earl of
Muntz, G. F.
Packe, C. W.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pinney, W.
Rice, E. R.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Sandars, J.
Scholefield, W.
Seymer, H. K.
Seymour, Lord
Sheil, rt. hon. R. L.
Sheridan, R. B.
Smith, J. A.
Smith, M. T.
Smyth, J. G.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stansfield, W. R. C.
Stanton, W. H.
Tenison, E. K.
Tennent, R. J.
Towneley, J.
Townshend, Capt.
Tyrell, Sir J. T.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Wellesley, Lord C.
Wilson, J.
Wilson, M.

	TELLERS.
Wodehouse, E.	
Wood, rt. hon. Sir C.	Tufnell, H.
Wyld, J.	Hill, Lord M.

Original Question put, and agreed to. 40,000 Men; 1,355,420*l.* for Wages; 538,642*l.* for Victuals.

ORDNANCE ESTIMATES.

Colonel ANSON said, he would now, with the permission of the House, take certain votes on account for the Ordnance, a list of which he would place in the hands of the Chairman. The House must be aware that it was necessary to provide a certain amount of funds to meet the necessary expenditure of the Ordnance after the expiration of the present financial year. He could only assure the House that the estimates of this department had been prepared with a due regard alike to the exigencies of the public service and to every practical measure of economy; and he, therefore, trusted it would now consent to vote on account a portion of the sums required for the services under the heads which he now proposed to place in the hands of the Chairman.

Mr. HUME could not admit that the Ordnance Estimates had been prepared with a due regard to economy, and considered they required the application of the pruning knife just as much as the estimates for the Navy required reduction.

Colonel ANSON said, it was his opinion that every practicable and wise economy had been adopted in these estimates; and if the hon. Gentleman (Mr. Hume) considered it had not, it only remained for him to prove the truth of his allegation.

The following Votes on account were then agreed to:—

350,000*l.* Ordnance Military Corps. 150,000*l.* Commissariat. 140,000*l.* Salaries. 150,000*l.* Ordnance Establishments. 70,000*l.* Wages of Artificers. 160,000*l.* Ordnance Stores. 250,000*l.* Ordnance and Barrack Works. 45,000*l.* Scientific Branch. 85,000*l.* Non-effective Services.

Resolutions to be reported on Monday next; Committee to sit again on Monday next.

The CHAIRMAN then reported progress.

House resumed.

The House adjourned at a quarter before One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, March 19, 1849.

Minutes.] Public Bills.—2ª Outdoor Paupers. 5ª Overseers (Cities and Boroughs).

Petitions Presented. From Whitstable, for Repeal of the Navigation Laws.—From Coleraine, against the proposed Rate in Aid of Distressed Unions (Ireland).—From Cornwall, for the Adoption of Measures for the Relief of the Agricultural Classes.

TRANSPORTATION TO THE CAPE.

Lord STANLEY rose to put a question to the noble Earl opposite (Earl Grey), of which he had given him notice. He had understood the noble Earl on a former occasion to have said that instructions had been issued for sending out convicts to the Cape of Good Hope, and that, although those orders had given general dissatisfaction in the colony, the Government felt it their duty to persevere. He wished to ask the noble Earl whether any despatches had been received by the Colonial Office on the subject, and whether he would have any objection to lay on the table the correspondence which had taken place between the Government of the Cape and the Government at home; and also a memorial which had been presented from the Cape, and which, he believed, had been received by the noble Earl?

Earl GREY said, that when this subject was last before their Lordships he had not received any official information from the Cape, although he was made aware, by the newspapers, that a feeling of dissatisfaction had been expressed on the part of the colony. Since that time he had received a despatch from the Governor of the Cape, with a memorial to which the noble Lord (Lord Stanley) had alluded; the latter expressing dissatisfaction at the instructions which had been issued. He should have no objection to produce the correspondence.

THE POLISH REFUGEES.

The Earl of EGLINTON said, that in moving for the return of which he had given notice, and in asking the question which he was about to put to the noble Marquess (the Marquess of Lansdowne), he felt that he was rather trenching on that nice ground of money which was held to be so particularly the province of another assembly; but he trusted that their Lordships would forgive him for calling their attention to what he considered an improper application of the funds of the State — namely, the allowance (which was stated in the Miscellaneous Estimates for the year ending March 31, 1849), of the sum of 7,800*l.* for the subsistence of Polish refugees, and for medical expenses incurred by them. He saw in the Miscellaneous Estimates charges for other foreigners—Spanish refugees, Toulonese, Corsican emigrants, and American loyalists—and, he thought, one or two other classes of persons who were the recipients of sums from our national funds, but to a much smaller extent. Though in their case he should much rather see the money saved, yet in every instance it was expressly stated that the grant was for military services rendered to this country, or for losses sustained in the service of this country. The Poles alone were a favoured race. Not only did the Poles receive a large sum from us for doing nothing, but there was a sum for medical attendance regularly paid for them in London and Portsmouth; and also a sum for the medicine supplied to them. He would not more particularly allude to the diseases for which the services of this medical treatment might be required, than by saying that he believed, when the return for which he moved was placed before their Lordships, they would see that a large portion of these diseases were such as he would not name in their Lordships' House; and for the cure of which it would ill become this nation to contribute. If this country were rolling in wealth—if our Exchequer were overflowing—if our agriculturists were content—then it might be very laudable to extend our charity to these distressed foreigners. On the same plan on which we spent millions to put an end to the slave trade, though at the same time we encouraged it by buying slave-grown sugar, and allowing the Irish to purchase arms, which afterwards we were compelled to take out of their hands, it might be wise to give these persons the money by which they could incur disease, and then to pay for curing them. And this was to be done at a time when our Exchequer was empty, and our agriculturists starving. Now, the Government was retrenching the expenditure of the country to a degree which, if they were private individuals, would bring upon them tradesmen's bills to an alarming extent. We were now so saving that the yeomanry could not be drilled this year. He had served in that useful force, and he must say that it was useless to give a man a sword or a carbine unless he was drilled to the use of it. In the midst of all this rigid economy, they still found the Polish refugees receiving a large amount of assistance. There were, no doubt, many of that nation who were deserving of our admiration and worthy of our sympathy; but nevertheless it was too true that a great many of the Polish refugees were lawless and turbulent. Whether behind the barricades in Paris, or engaged in the rebellion in Hungary, or the insurrection in Vienna, the Poles were always found revelling in scenes of violence and anarchy. In the present state of our revenue, he must protest against the people of this country—taxed as they already were to an amount which they could hardly bear—being called upon to contribute to the assistance of foreigners who had no claim upon us. Perhaps the noble Marquess would inform the House whether this allowance would be continued for the future? The noble Earl concluded by moving for a return of the number of Polish Refugees receiving allowances for subsistence and medical expenses from the 28th March, 1848, to the 26th March, 1849, specifying the amount received, and the nature of disease in the treatment of which such medical expenses were incurred.

The Marquess of LANSDOWNE said, that, as far as the Motion of the noble Earl related to financial returns, there could be no objection to it, neither was there any occasion for the noble Earl to have apologised for moving for them, because he was only exercising an undoubted privilege in doing so. As to the manner in which the money had been applied, and the observations with which the noble Earl had followed his Motion, he had, however, a few observations to make. He was not prepared to say that such was the poverty existing in this country at this moment (although he admitted that some distress prevailed among the agricultural classes), as to render it necessary that we should depart from the principle of extending our sympathies with a liberal hand to those who had been the objects of charity from the other Governments of Europe, and who had also received it in this country from all previous Administrations; still less should he be inclined to concur in that part of the noble Earl's Motion which would have a tendency to wound the minds of individuals. The noble Earl called for the names—

The Earl of EGLINTON: No; the numbers.

The MARQUESS of LANSDOWNE: The noble Earl called for an account of particular diseases under which individuals had laboured. He objected to such a return, because it could only be intended to convey an impression unfavourable to those unfortunate people who had received the bounty of this country.

The EARL of EGLINTON wished to ascertain the character of the diseases generally, but he did not wish to know who had suffered from particular diseases.

The MARQUESS of LANSDOWNE was glad to hear that; but he still objected to that part of the Motion. The Polish refugees were driven from their country by a great misfortune, arising out of the destruction of a great national existence; but the merits of the question he would not go then into, for he did not look upon the subject in the spirit of party. Amongst those Polish refugees were men of noble lineage, of unblemished character, of undoubted worth; and when the noble Earl spoke of instances in which Poles had taken part with insurgents elsewhere, it would have served his purpose better if he could have furnished instances of their having misbehaved themselves in this country. That, however, was not the case, and, so far as the authorities went, the argument applied the other way; for it had been proved that they were not inclined to take part in any disturbances. The very effect of this bounty had been to prevent their so engaging themselves; for it had been a rule that if persons receiving any portion of it left this country, they lost all future claim to it. But because there were Poles who had taken part in insurrections in other countries, were we to withhold relief from those who had not misconducted themselves here? He had had occasion to know many Poles residing in this country who were persons of integrity and honour; and he did not think that the Polish refugees had in any degree forfeited that bounty which it had been the feeling of Parliament for a great many years to bestow upon them. The subject had been attentively investigated, and the greatest care would be taken in the administration of the funds.

LORD STANLEY did not wish to impede the flow of public charity to the unfortunate, nor did he mean to deny that many of the refugee Poles were men of high character, honour, and ability. He did not understand his noble Friend intended in the smallest degree to interfere with the just application of the funds voted for their relief; what he understood his noble Friend to say was, that he considered it to be incumbent on the Government and the country—though the noble Marquess denied that distress was general here, yet admitting the country was not in a prosperous state—he thought it was therefore a duty incumbent on the Government to see that they were not exposing the people to contribute to a charitable fund without taking care that proper checks on its due expenditure were applied. His noble Friend alleged that assistance was given to a considerable extent—not in the shape of money to relieve distress, but in the shape of medical relief for cases of disease, not arising from distress and poverty, but from vice and profligacy. That was what his noble Friend had said. In his opinion there could be no grosser misapplication of the public funds, than to find they were applied to defray medical assistance in cases arising from vice—his noble Friend, no doubt, spoke from sufficient knowledge of the fact—and not from distress. This country readily granted the application for medical charity; but this assistance ceased to be charity the moment it was perverted to purposes of profligacy. After the assurance just given by the noble Marquess that the case had undergone investigation, and that everything would be done to check lavish and improper expenditure, he would advise his noble Friend, who had not the least idea of stigmatising any one by name, not to press his Motion, but to rest satisfied with the assurance of Her Majesty's Government that due care shall be taken in the administration of the funds.

The MARQUESS of LANSDOWNE was understood to repeat his declaration that care was used, and should continue to be used, in this case.

The MARQUESS of LONDONDERRY considered the House was indebted to his noble Friend for bringing forward the subject. He considered care should be taken that no new names be added to the present list. In the case of the Spanish refugees, he knew that a good deal of abuse in the administration of the funds existed, and that individuals were thrown on the fund who were a disgrace to their own and to any country. He hoped Government would take care that the public money was not given improperly and injudiciously to foreigners who came to this country.

The EARL of EGLINTON would not

press his Motion. He begged, however, to assure the House, that nothing was further from his intention than to individualise any one. He wished to prevent the funds of the State from being applied in future—as he had reason to believe they had been applied—to improper cases. No one had a greater admiration for the high and honourable character of individuals of the Polish nation than himself.

Returns, as amended, ordered to be laid before the House.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, March 19, 1849.

MINUTES.] NEW WRIT.—For the County of Southampton (Northern Division), *v.* Sir William Heathcote, Bart. Chiltern Hundreds.

PUBLIC BILLS.—2° Larceny Acts Amendment.

Reported.—Indictable Offences (Ireland); Summary Convictions (Ireland); Protection of Justices (Ireland).

PETITIONS PRESENTED. By Mr. Grogan, from Merchants, Tradesmen, and Others, of Dublin, in favour of the Insolvent Members Bill.—By Mr. Scholefield, from the Baptist Midland Association, for the Separation of Church and State.—By Mr. Du Pre, from the Parish of Aylesbury, Buckinghamshire, and from several other Places, against the Marriages Bill.—By Mr. Cumming Bruce, from the Presbytery of Aberlour, against the Marriage (Scotland) Bill.—By Mr. Aglionby, from the Township of Hoghton, Lancashire, respecting the Expenditure of that County.—By Mr. Glyn, from the Leeds and Thirsk Railway Company, and by Hon. Members, from several other Companies, respecting Railway Taxation.—By Captain Archdall, from the Grand Jury of the County of Fermanagh, respecting Depredations by Killing Cattle, Sheep, &c. (Ireland).—By Mr. J. H. Talbot, from the Borough of New Ross, in the County of Wexford, for Repeal of the Fisheries (Ireland) Act.—By Mr. W. S. Crawford, from the Parish of Dunboe, Londonderry, for an Alteration of the Law of Landlord and Tenant (Ireland).—By Mr. Baines, from the Guardians of the Cardigan Union, for the Suppression of Mendicancy.—By Viscount Melgund, from the Provost and Town Councillors of Greenock, against the Repeal of the Merchant Seamen's Fund Act.—By Mr. Herries, from Merchants and Others, of Liverpool, against the Navigation Bill.—By Mr. Baines, from the Guardians of the Cardigan Union, respecting the Law of Settlement.—By Captain Archdall, from the Division of Clonelly, Lowtherstown Union, and from several other Places, against the proposed Rate in Aid (Ireland).—By Viscount Ebrington, from the Masters and Matrons of the Plymouth Union, for a Superannuation Fund for Poor Law Officers.—By Mr. Ewart, from the Roscoe Club, Liverpool, for Inquiry respecting Public Libraries.—By Mr. Cumming Bruce, from the Presbytery of Aberlour, against the Registering Births, &c. (Scotland) Bill.—By Viscount Drumlanrig, from Lochmaben, in the County of Dumfries, against the Marriage (Scotland) Bill.—By Mr. Bagot, from the Calvinistic Methodists of Llangernyw, Denbighshire, and by other Hon. Members, from several Places, for Referring War Disputes to Arbitration.

BIRMINGHAM BOROUGH (No. 2) BILL.

MR. MUNTZ moved the Second Reading of the Birmingham Borough Exemption from County Rates (No. 2) Bill.

Order for Second Reading read; Motion made, and Question proposed, "That the Bill be now read a second time."

LORD BROOKE moved, as an Amendment, that the Bill be read a second time that day six months. The object of this Bill was to exempt the town of Birmingham from contributing to the county rates, on the plea that Birmingham had recently erected a borough gaol and lunatic asylum of its own, and therefore ought no longer to be called upon to pay anything for the support of the county gaol and lunatic asylum. Now, although Birmingham had its own gaol, the prisoners that were sent from that town to the assizes would still be a burden upon the county rate; and, as Birmingham would therefore still continue to derive benefit from the county gaol and asylum, it would be unfair to exempt it from paying to the county rates.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

MR. SCHOLEFIELD supported the Bill, and said that the quota which Birmingham used to pay, before its own gaol and lunatic asylum were built, towards the county rate, was one-third of the entire rate[illegible] and as the expense of the new county gaol and lunatic asylum at Warwick was estimated at 150,000*l.*, unless this Bill was passed, Birmingham would have to pay 50,000*l.* of this sum for what she did not want, having provided herself with a gaol and lunatic asylum at an expense of upwards of 100,000*l.* As for Birmingham deriving any advantage from the county gaol, in connexion with assize prisoners, the promoters of this Bill were prepared to pay so much per head for every prisoner they sent to the county gaol, but objected to pay the county rate in the same way as they had done before they had any gaol or asylum of their own.

SIR G. GREY thought Birmingham had unquestionably an equitable claim now not to be called upon for the same amount of contribution for building a county gaol and lunatic asylum as might have been claimed from it before it had any gaol or lunatic asylum of its own. The Bill before the House proceeded on the assumption that, as the law at present stood, Birmingham could be called upon to contribute to the county rates; but he believed that in Lancashire and Leicestershire the law did not bear out that assumption as to the liability of boroughs so circumstanced as Birmingham was, to the county rate. There was a legal question as to the liability of such boroughs, upon which he would not express any opinion; but parties concerned in this Bill ought to raise the legal question in the courts of law before they came to the House for a remedy; and if the courts decided that the law as it stood at present gave the county a claim upon the borough, then it would not be a private Bill that would be necessary, but a general Bill, applying over the whole country, which ought to be brought in by the Government. He would, therefore, advise the House not to allow this Bill to be read a second time.

Mr. SPOONER said, that if the right hon. Baronet's advice were to be followed, the effect would be to involve the parties in litigation, and Birmingham would have to pay its quota of 50,000*l.* for the new county gaol and lunatic asylum before a general Bill, applying to the whole kingdom, could be introduced. So that if they were to wait for the general Bill, the injustice now attempted to be prevented would be done, and no compensation could afterwards be obtained if a wrong had been committed towards Birmingham. He must therefore support the second reading of this Bill, unless the right hon. the Home Secretary would allow it to be made a public Bill, and permit it to go before a Select Committee upstairs, in which case he would advise his hon. Friend (Mr. Muntz) to withdraw the present Bill.

Mr. MUNTZ, in reply, said, the county magistrates had admitted the equity of the people of Birmingham's claim to be exempt from the county rate; all they objected to was—the Bill ought to be a general Bill instead of a private one. But his objection to a general Bill was, that all the mischief would be done before they obtained it. Birmingham would not get back its money, and, besides, it was desirable that a resort to litigation should be prevented. He must, therefore, persist in attempting to carry this measure.

Sir G. GREY explained that he did not admit that there was any great doubt as to the state of the law as it at present stood; but as to what the construction of the law was, he could not express any opinion. All he maintained was, that the House ought not to sanction a Bill to alter the law, until it was first shown by a decision of the courts that the claim upon Birmingham to contribute was well founded.

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 70; Noes 62: Majority 8.

List of the Ayes.

Birch, Sir T. B.
Blair, S.
Blake, M. J.
Blewitt, R. J.
Bremridge, R.
Brotherton, J.
Brown, H.
Brown, W.
Campbell, hon, W. F.
Cobden, R.
Crawford, W. S.
Cubitt, W.
Divett, E.
Duncan, G.
Ellice, E.
Ellis, J.
Ewart, W.
Forster, M.
Fox, W. J.
French, F.
Gibson, rt. hon. T. M.
Glyn, G. C.
Grace, O. D. J.
Greenall, G.
Greene, J.
Gwyn, H.
Harris, R.
Hastie, A.
Hastie, A.
Heald, J.
Heywood, J.
Heyworth, L.
Humphrey, Ald.
Lacy, H. C.
Langston, J. H.
Lawless, hon. C.
Lewisham, Visct.
Locke, J.
Lushington, C.
Mackinnon, W. A.
M'Cullagh, W. T.
M'Gregor, J.
Mullings, J. R.
Nugent, Sir P.
O'Brien, T.
O'Connell, J.
Osborne, R.
Pattison, J.
Pilkington, J.
Power, N.
Reynolds, J.
Rice, E. R.
Rufford, F.
Scholefield, W.
Scrope, G. P.
Sidney, Ald.
Stansfield, W. R. C.
Stanton, W. H.
Strickland, Sir G.
Stuart, Lord D.
Tenison, E. K.
Thompson, Col.
Thornely, T.
Villiers, hon. C.
Wawn, J. T.
Williams, J.
Willyams, H.
Wilson, M.
Wrightson, W. B.
Wyld, J.

TELLERS.
Muntz, G. F.
Spooner, R.

List of the Noes.

Adderley, C. B.
Alexander, N.
Archdall, Capt. M.
Arundel and Surrey, Earl of
Bagot, hon. W.
Bankes, G.
Beresford, W.
Berkeley, C. L. G.
Boldero, H. G.
Brackley, Visct.
Bruce, C. L. C.
Buck, L. W.
Buxton, Sir E. N.
Carew, W. H. P.
Disraeli, B.
Dod, J. W.
Duncan, Visct.
Duncombe, hon. A.
Duncuft, J.
Du Pre, C. G.
Edwards, H.
Emlyn, Visct.
Farrer, J.
Forbes, W.
Forester, hon. G. C. W.
Fuller, A. E.
Granby, Marq. of
Grey, rt. hon. Sir G.
Grogan, E.
Hayes, Sir E.
Heneage, G. H. W.
Henley, J. W.
Herries, rt. hon. J. C.
Hill, Lord M.
Hodgson, W. N.
Hope, Sir J.
Howard, Lord E.
Jolliffe, Sir W. G. H.
Legh, G. C.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lockhart, W.
Lowther, H.
Mackenzie, W. F.
Mahon, Visct.
Maitland, T.
Maule, rt. hon. F.
Miles, W.
Moody, C. A.
Packe, C. W.
Patten, J. W.
Philips, Sir G. R.
Pugh, D.
Repton, G. W. J.
Russell, F. C. H.
Shirley, E. J.
Somerville, rt. hon. Sir W.
Sotheron, T. H. S.
Vyse, R. H. R. H.
Wall, C. B.
Willoughby, Sir H.

Wortley, rt. hon. J. S.	Young, Sir J.
TELLERS.	
Brooke, Lord	Douglas, Sir C.

Main Question put, and agreed to.

Bill read 2°, and committed, and referred to the Committee of Selection.

CANADIAN REBELS.

Mr. F. MACKENZIE said, he had seen in one of the public journals that a Bill had been introduced in the Colonial Legislature of Canada, and was rapidly passing through it, to indemnify persons for the losses they had sustained during the rebellion of 1837 and 1838—those persons having been concerned in the rebellion—and one of the purposes being to indemnify certain convicts who were pardoned by the Queen for the inconvenience they had sustained in taking a voyage to Van Diemen's Land and back. It was also stated, that a person named Nelson was to be indemnified for the damage done to his house by the Queen's troops, that house being fortified. He, therefore, begged to give notice that he would on the following day ask Her Majesty's Government if such a Bill had been introduced into the Colonial Legislature of Canada, and whether the Government intended to lay on the table of the House a copy of such Bill? He would also make inquiry with respect to the course taken by the Governor General in regard to it.

Mr. HAWES; I think it would be better to answer at once the question of the hon. Gentleman. No despatch and no communication to the effect of the article in the *Morning Chronicle* has been received at the Colonial Office. No information has been received on which I could to-morrow make any other answer than I now make.

Mr. F. MACKENZIE: Am I to understand the hon. Gentleman to say that he has no knowledge of such a Bill being introduced?

Mr. HAWES: I have no knowledge of such a Bill being introduced from any official source whatever—nor have I, indeed, any knowledge of the fact at all.

CHICORY AND COFFEE.

Mr. C. ANSTEY rose to refer to the question which he had last week addressed to the right hon. Gentleman the Chancellor of the Exchequer with regard to the use of chicory instead of coffee by the poorer classes, in consequence of their inability to purchase coffee. Under an Act of Parliament passed in the reign of George III., licensed tea and coffee dealers were not permitted to sell chicory. He wished to ask the right hon. Baronet whether it was true, as was alleged in the memorial now before the Treasury, that in 1844 the Melbourne Administration took upon themselves, by Treasury order, to suspend the provisions of that Act, giving instructions to excise officers not to regard its 50*l.* penalty, but to permit grocers and tea dealers to sell chicory equally with coffee; and whether this had not been made a subject of complaint on the part of respectable wholesale dealers, and particularly on the part of colonial coffee growers, on the ground that ever since the suspension took effect there had been a decline in the consumption of coffee imported from the colonies; and whether, in particular, although according to the returns the quantity of coffee from Ceylon last year exceeded by 50 per cent any previous year, the return did not show that there was a considerable decrease in the consumption of Ceylon coffee at home; whether the chicory used in the adulteration of the coffee did not now form a proportion of one-third of the quantity of coffee annually sold and consumed; and whether it was the intention of Government to cause the law to be obeyed by their excise officers in future; or whether it was their intention to propose to Parliament any measure for imposing a duty on chicory in the same proportion as coffee? He wished further to ask whether Ceylon had not lost upwards of 300,000*l.* in consequence of the order, and whether the coffee from Ceylon as returned in October last, was not unsaleable as coffee, and had not been absolutely sold at chicory prices; and whether the right hon. Baronet knew any reason why the Act of Parliament which had been suspended for the purpose of letting in chicory in the place of colonial coffee had not been suspended for the purpose of letting in the British sloe-leaf instead of China tea?

The CHANCELLOR of the EXCHEQUER said, there was an old Act, the 43rd of George III., prohibiting the sale, by persons selling coffee, of any article used in its adulteration. About 1832, for the first time, the Treasury did not consider it wise to prohibit the sale of the article, provided it was not mixed with the coffee. In 1833, 1834, and 1835, duties were imposed upon foreign chicory until they were equivalent to the then existing duty upon colonial coffee; and having done that, the Treasury considered it unnecessary to enforce the Act against the sale of chicory and coffee by the same persons. This was very different from the case of tea, which, when adulterated, was a notoriously deleterious mixture. That was not the case with chicory; on the contrary, there were very good reasons to suppose that the mixture of chicory with coffee improved the coffee itself. [*Laughter, and* "No, no!"] Gentlemen might laugh, but it was nevertheless perfectly true. He had been informed, very recently, by one of the largest and most respectable firms in London, one with whom probably many Members of that House dealt, that having been in the habit of selling a mixture consisting of 20 per cent of chicory, and certain parties who dealt with them wishing, for the sake of avoiding adulteration, to have the coffee berry to roast and grind for themselves, they tried this for some little time, but found that they could not make from the coffee berry a mixture half so palatable as that which was sold to them in the prepared state, and which consisted of 20 per cent of chicory. He had received the same accounts from other parts of the country; and had no doubt of the correctness of the opinion formerly expressed by an hon. Friend of his when Chancellor of the Exchequer, that a due admixture of a certain quantity of chicory improved the coffee, and tended to promote its use, especially amongst the labouring classes. To a certain extent, he did not think it was prejudicial, either to the consumer, or to the importer of coffee. It was quite true that, since that time, a considerable change had taken place in the production of chicory, which was formerly imported from abroad, paying a duty, but was now grown to a considerable extent in this country; and that of which the hon. Gentleman complained was not the importation of the foreign chicory, but the use of the home-grown article. He had received complaints, principally from the growers and importers of Ceylon coffee, of the great fall in the value of their produce, owing to the use of chicory. They complained that the consumption of coffee had not increased, that they got a very low price for it, and they also expressed great commiseration for him (the Chancellor of the Exchequer) at the loss of duty which had arisen from that circumstance. He did not believe the use of chicory had had much to do with the reduction of duty; the reason of this was that there had been a much larger importation of colonial coffee at a low duty, and a falling-off in the importation of foreign coffee at a higher duty. The remedy for that would evidently be—what the Ceylon growers would not like—an equalisation of the duties on colonial and foreign coffee. But it was remarkable the extent to which this had taken place. In the last four years, the quantity of colonial coffee introduced for home consumption had increased from twenty to thirty millions of pounds, foreign coffee had fallen from thirteen to a little under seven millions of pounds, or nearly one half, while the colonial coffee had increased about 50 per cent. It was obvious, therefore, that this being a substitution of coffee at a low duty for that at a high duty, would effectually account for the falling-off to which the hon. Gentleman had referred. It was also an answer to a statement which had been put forward in a memorial addressed to the Treasury on the subject, namely, that great encouragement was afforded by the mixture of chicory to those foreign coffees which better admitted of the mixture than Ceylon coffee; because, while the consumption of foreign coffee had fallen off to a considerable extent, that of Ceylon coffee had increased in a most extraordinary amount. If he might refer to that celebrated year, 1835, the quantity of Ceylon coffee introduced in that year was 1,800,000 lbs.; whilst last year there had been imported no less than 30,000,000 lbs. He was much inclined to attribute, in a small degree, the fall of the price to the extraordinary quantity which had been introduced, and also to the introduction of a very inferior description of coffee, grown by the natives of the island, and not well prepared. At the same time he must admit that, with the low prices that had prevailed of coffee and chicory last year, the consumption ought to have increased; instead of which it had diminished. The consumption of tea had increased, while that of coffee had diminished. This he could only account for on the supposition that, to a certain extent, chicory had been substituted for coffee, and that some of the revenue which the Exchequer ought to have received, had been diverted to the dealers in chicory, who had been selling it at a coffee price. It was not easy to ascertain the extent to which that had been done; but he should not think himself justified in stopping the mixture of coffee and chicory altogether, which he believed most beneficial to the consumer. On the other hand, he should be most unwilling to adopt that course with regard to chicory which had been adopted with regard to beet-root sugar grown in this country—that of subjecting it to the excise duty. That was evidently the course which was most calculated to do justice to all concerned; and if this decrease continued in another year, that course might be necessary. To adopt such a course at the present time would be unjust, as parties had entered into arrangements for the cultivation of chicory, without any apprehension of a duty being imposed upon it. All he wished to say was, that the whole subject was under the consideration of those parties—the officers of excise—who had the best means of obtaining information on the matter; and if it should be necessary to adopt this course in future years, he wished the parties engaged in the growth of chicory to take this as a warning, that they might not say they were wholly unprepared for the imposition of any duty.

Mr. ANSTEY said, that the most important part of his inquiry had not been answered by the right hon. Gentleman. He had omitted to answer this question—did not the returns for the year 1848 disclose the fact, that in the consumption of coffee there was a deficiency of about 260,000 lbs. weight, while the same returns showed that the quantity of coffee imported from Ceylon had increased to the amount of 12,000,000 lbs. weight; and whether the revenue derived from coffee in 1848 was not less by 45,000*l.*, or thereabouts, than it was the year before; and whether the quantity of chicory annually consumed in this country under the name of coffee did not stand in the proportion of 12,000,000 lbs. to 38,000,000 lbs. of coffee? He had also asked the right hon. Gentleman whether it was his intention to cause the law to be obeyed by his subordinate officers, and particularly the excise officers, without waiting for the passing of a new Act of Parliament? He wished also to know if the right hon. Gentleman had any reasonable objection to lay any correspondence on the subject on the table?

The CHANCELLOR of the EXCHEQUER admitted that the quantity of coffee consumed in 1848 was less than in the previous year; and that the duty was about 35,000*l.* less than it was in that year; but, as he had said before, the amount of coffee imported from the colonies had increased, while the amount of coffee imported from foreign parts had decreased, and that might account for the loss of duty. He was not prepared to enforce the Statute of 43rd George III., without further inquiry.

TRANSPORTATION TO THE CAPE OF GOOD HOPE.

Mr. ADDERLEY wished to ask the hon. Gentleman the Under Secretary for the Colonies, whether he had not misapprehended a question which he had put to him on a former day, when he inquired if there was any objection to lay before the House any communication that had been received from the Governor of the Cape of Good Hope, intimating a resistance there to the reception of convicts from this country? He begged now to ask the hon. Gentleman whether, in the month of January or February, a communication had been addressed by the Governor of the Cape to Earl Grey, containing the remonstrance of a public meeting against the reception of convicts from this country, and a petition to Her Majesty on the subject?

Mr. HAWES said, he must trouble the hon. Gentleman to put his question on a future day, as he could not undertake to say at that moment that such a despatch or communication had been received. He understood the hon. Gentleman to ask the other day if he were aware of any communication having been made to the Secretary of State with reference to sending convicts to the Cape of Good Hope; and, at that time, he was not aware that any such communication had been received, but since then despatches had been received.

Mr. ADDERLEY asked if the hon. Gentleman were not aware that, in the month of February, a communication was received from the Cape of Good Hope, intimating the very general resistance of that colony to the reception of convicts? Had the hon. Gentleman any objection to lay on the table any documents, official or non-official, received on the subject?

Mr. HAWES could not give the hon. Gentleman any other answer than he had already given him. If the hon. Gentleman would put his question on paper, he would give him a precise answer.

Mr. ADDERLEY: Is there any objection to lay the papers on the table?

Mr. HAWES: I can have no objection to lay any official paper on the table. Any official communication will be laid on the table.

THE POOR LAW BOARD.

Mr. HUME said, he wished to ask the noble Lord at the head of the Government whether any reduction was to be made in the Poor Law Board and its establishments this year?

Lord J. RUSSELL said, that last year, under the direction of his lamented Friend, Mr. C. Buller, the Poor Law Board and its establishments had been placed on as efficient and economical a footing as had been considered possible. The subject had since been under the consideration of the Committee on the Miscellaneous Estimates; and they had not, he believed, recommended any reduction in that branch of the public service. He did not expect that it would be practicable to make any reduction in the present year.

EDUCATION OF OFFICERS IN THE ARMY.

Mr. EWART said, he wished to ask the Secretary at War whether it was the intention of the Government to institute any examination, as an educational test of competency, on the admission of persons applying to enter as officers into the Army?

Mr. F. MAULE said, that his Grace the Commander-in-Chief had determined to institute a test for the education of officers previous to their receiving commissions in the Army. That fact had been intimated to all persons who had applied to the Commander-in-Chief to have their names put down for commissions, in order that they might prepare themselves for the military service, by a preliminary course of study. It was also the intention of his Grace to have a second examination on the promotion of an officer from the rank of ensign to that of lieutenant; but that examination was to be entirely of a professional character, for the purpose of ascertaining that the parties examined had the necessary acquaintance with the duties of officers commanding battalions. Then there was to be a third and final examination of subalterns before they got companies, and that was to consist of a more enlarged examination with respect to matters of military skill and science. His Grace the Commander-in-Chief had entered into those arrangements in conformity with public opinion, which had for some time past tended in that direction; and the object of those arrangements was to improve the efficiency and *status* of officers in the Army.

EMIGRANT TAX IN THE UNITED STATES.

In answer to Mr. Monsell,

Mr. HAWES said it was perfectly true (and he was indebted to the courtesy of the United States Minister for the information) that the Supreme Court of the United States had decreed that all duties imposed upon emigrants by the State legislatures were absolutely void and of no effect. In consequence, these duties would expire at once; but what steps the Congress might take in the matter he was not prepared to say. In the absence of any official communication relating to it, either from Lord Elgin, or through other channels, no communication had been made to Canada on the subject.

SUPPLY—ARMY ESTIMATES.

The House then went into Committee of Supply; Mr. Bernal in the chair.

Mr. F. MAULE said, he rose to propose the first vote in the Army Estimates, namely, the vote for the number of men who were to be maintained for the service of the Crown during the ensuing year; and he trusted he would receive on that occasion, as he had received on former occasions, the kind indulgence of the Committee while he entered into many details from which he would willingly abstain, were it not that on such occasions they had a right to expect every information which could possibly be communicated by the individual holding the situation he had then the honour to fill. The number of men whom it was proposed to maintain for the ensuing year was 103,254. In fixing upon that number, Her Majesty's Government had necessarily had to review the condition of the empire, and to look at it in its various interests, foreign, colonial, and domestic, before they could come to a conclusion upon the subject. Looking at all those interests, and at the general aspect of the country, it had at first appeared to Her Majesty's Government that the country might be relieved from the burden of taxation necessary for the maintenance of 10,000 men, by which number they had proposed to reduce the Army enrolled last year. They had come to that determination after having considered the calls made on them for the protection and defence of our Indian territories. The number of men borne on the Army Estimates last year had been 113,847. But the intelligence which had some weeks since been received from India had called on the Government to supply to that part of Her Majesty's dominions three regiments of infantry, amounting to about 3,300 men; and they had proposed to reduce the Army by the remaining 7,000 men, which were to have been discharged in the course of a few months. Since that resolution, however, had been adopted, the intelligence which had been lately received from India had rendered it necessary that two more regiments should be sent out to that country, in order to reinforce Her Majesty's troops there; and as those two regiments were about to be withdrawn from the force in this country, and as it did not appear to Her Majesty's Government to be desirable that they should reduce that force, they proposed that the reduction of the number of men should be limited to 5,000, instead of 7,000. Orders had therefore been given to reduce to 5,000 the number of men to be discharged. In fixing upon the number of troops to be employed, the Government had, first of all, to look at the position of the country in its foreign relations; secondly, they had to look at the calls made on them for the maintenance of an efficient force in our colonial dependencies; thirdly, they had to consider the maintenance of order at home; and, fourthly, they had to consider the necessity of maintaining such a force as would enable them to give temporary and fair relief to those troops who were called upon to serve in our distant colonies. Now, with respect to the aspect of foreign affairs, he thought there were few persons who would be slow to admit that, although the alarms which had existed in the beginning of last year had to a great extent passed away, and although our shores might not be threatened, in the opinion even of those who were most apt to entertain apprehensions, by any symptoms of foreign invasion—still he thought there were few persons who would be slow to admit that the aspect of affairs abroad was not of such a nature as to induce this country to assume an entirely indifferent and unprepared state. His hon. Friend the Member for the West Riding of Yorkshire (Mr. Cobden) had stated the other night, that all the Governments of this country had of late years assumed that the position of this country was, as it were, a normal state of war. Now, he (Mr. F. Maule) denied that that could be said to have been the case. Her Majesty's present Government were not comparing our military force with that of other countries, in proposing the number of men they were then about to ask from the Committee; they were influenced by no comparison with the armies of other States; but they had been influenced by this consideration, that while all the nations around us appeared to be unsettled, it would be neither wise nor prudent economy in the people of this country to leave themselves unprepared to meet the demands that might be made on them, in the event of a general war breaking out in Europe. Then, in the second place, let them look to our colonies, and see the claims which were made on them there. He had carefully looked into the general distribution of our forces over the great colonial empire of this country. In many portions of the empire he might say that our colonies were barely occupied, and could scarcely be said to be in a state of defence at all. But at the same time, all Governments had endeavoured as much as possible to make the military charge of the colonies as light as it could be made to the people of this conntry, if we were to preserve our colonies at all. If they were to recognise the claims of the colonies upon this country for military protection within themselves, and defence against aggression from without, they must make up their minds to maintain, at least, in his opinion, the present amount of force. He would not say that arrangements might not be made in the course of time to diminish that force; but such a course would not be safe or prudent at present. At Gibraltar they had nearly the same garrison as they had in 1833. He alluded to that year as being the one in which a Committee of that House went minutely into all the details of our colonial garrisons, and reported their opinion to the House. They reported that it would not be expedient to reduce the garrison at Gibraltar. At Malta the garrison of 1833 was 2,458, and it was now 2,700. In the Ionian Islands the number in 1833 was 3,090, which was now reduced to 2,700. In Western Africa the number in 1833 was 452; in 1849, 600; but the garrison there consisted of a wing of the West India regiments, and the post was intended as a recruiting point for those corps. At the Cape of Good Hope in 1833 our troops consisted of 1,779 men; at present they were 4,200; but there had been reasons—and the House knew them too well—why the army there had been considerably increased; and he feared—although since 1847, when it was at its maximum, namely, 6,131, it had been found practicable to reduce it to 4,200—he could not say the condition of the colony was such as to enable the Government to reduce the number of troops any lower at present. The garrison at Ceylon was somewhat less now than it was in 1833; but he warned the House that this was not the quarter in which any great reduction could be made at that moment. Looking to the circumstances of Ceylon — looking to the papers lately laid upon the table of the House, and from which he gathered this fact— namely, that there had scarcely been an occurrence of any grave moment in India which had not produced a simultaneous effect in the island of Ceylon—looking at the present state of India, any diminution in the garrison of Ceylon would be a dangerous step for this country to take. In Canada, at present, our troops were 7,708 —that is to say, Canada, Nova Scotia, and Newfoundland. He granted that to be a large force. [Mr. HUME: Does that include the Canadian Rifle Corps?] It includes the Canadian Rifles and the whole of the force in the North American colonies. They might be able, perhaps, to concentrate this force more than at present; but when they considered the condition of that country, approaching, as it was, to a state of greater contentment than it had known for many years, they might hereafter be able to reduce the garrison within the colony. His hon. Friend the Member for the West Riding had said the other night, that whenever these great increases were made, the Army was never afterwards reduced. Why, in 1838-9, during the rebellion in Canada, the troops in British North America amounted to 13,825, whereas they now amounted only to 7,708: so that, at all events, when troops were sent out on an emergency, they were not kept in the colony, as the hon. Member for the West Riding would affirm. In Bermuda in 1833 the number of troops was 1,080; now, 1,090. In New South Wales the number in 1834 was 2,636; in 1849, 4,000. But then it must be considered that the colony of New Zealand had been added since 1833 to our colonial possessions in that quarter, and it had been found necessary to defend the colonists there against the attacks of a very warlike and skilful body of natives. The number in the Mauritius in 1833 was 2,000, and at present the force was 1,520; and when they considered that it consisted of a people, according to report, not altogether friendly to the English rule, it would be quite evident it would not be safe to maintain a smaller garrison. Jamaica in 1833 had 4,000 (including black) troops, and in 1849 the number was reduced to 1,940. In the West Indies generally, and not including Jamaica, the number in 1833 was 5,281, and in 1849, 3106. At Hong-Kong the garrison was first established in 1846, and he had asked many gentlemen connected with mercantile pursuits and the China trade in those seas these two questions—first of all, whether it was necessary that we should have a post of occupation in the China seas at all? and next, whether, if there was to be a post of occupation, Hong-Kong was well selected? To both these questions he had received distinct answers. First of all, that it was absolutely necessay to have a military post in that quarter; and next, that the best military post which could have been selected was Hong-Kong; and, therefore, for the protection of our commerce and trade, it was absolutely necessary to have a garrison there. This, however, had been reduced from 2,000 to 1,148. The Committee, he apprehended, would agree with him in thinking that it would not be prudent to reduce our forces to a lower standard than at present. He now came to the next consideration—namely, what was required for the maintenance of peace and order at home. He was not one of those who had ever exhibited any disposition to maintain order in this country by means of a military force; and his noble Friend at the head of the Government would be the last man in the world to sanction such an act of injustice. But it was necessary to maintain within the kingdom a certain portion of the military force to which those who were attached to order, and those engaged in commerce and trade, and generally in the pursuits of peace, might look for protection and assistance in the hour of tumult and outrage. It was necessary to have a military force which should support the magistrate in the execution of his duty in enforcing the laws of the country against the refractory. If this force was kept below what was necessary to this purpose, nobody would be so ready to exclaim against the Minister who had so reduced the military arm as those individuals who were so ready to utter loud complaints of the burden of taxation. With reference to the military force in this country, he found that at the present moment it consisted of 52,000 men, of whom 27,000 men were quartered in England and Scotland, and 25,000 in Ireland. This was rank and file. With reference to these 25,000 quartered in England— [An Hon. MEMBER: 27,000.] 25,000 in England, with 2,000 for Scotland, made 27,000. With regard to these, they were very generally spread all over the manufacturing and thickly-populated districts in Lancashire and Yorkshire, and counties of that description; and numerous as the body appeared to be, the House would be somewhat surprised when he told them that, not in the present or last year, but generally in all years, going back as long as he had known anything of the requisitions for military assistance made by the civil power in this country, this number of troops in the various circumstances which had arisen, had had no light duty to perform. He held in his hand a list of applications for assistance made by the civil power in 1848 for military aid to preserve the peace on various occasions in different towns in this country. In Brecon, Cardigan, Derby, Weymouth, Durham, Wigan, and from Liverpool, on seven different occasions; from Ashton-under-Lyne, Rochdale, Leicester, Nottingham, Bath, Taunton, Stoke-upon-Trent, Birmingham, Dudley, Sheffield, Leeds, Barnsley, Bradford, Halifax, and Doncaster. No doubt the applications in some instances might have been frivolous and vexatious; but if the troops had not been there to comply with these demands, there would have been complaints that the Minister had relinquished his duty to his country in not providing troops to prevent outbreaks which would otherwise take place. At Leeds, a meeting not very long ago was called by the mayor to support certain resolutions of his hon. Friend the Member for Montrose in favour of reform. The mayor first signed the requisition for the meeting, and very properly afforded the lieges an opportunity of expressing their opinions on the subject proposed for their deliberation, and then turned round and signed another requisition, to be furnished with troops, in the event of there being an outbreak at the meeting in question. How was the Government to dispense with furnishing troops? Well, the troops were there in readiness, the meeting took place, and, fortunately, no collision arose. But these were circumstances under which they were compelled to have troops in readiness, and to keep a certain body of troops quartered in the manufacturing districts in England where disturbances might be anticipated; and he believed such an arrangement to be in accordance with true economy, for he believed that in 99 times out of 100 prevention was better than cure. There was economy in preventing riots; and even although it might appear that they were taxed a few thousands extra to maintain a larger number of troops here than might appear absolutely necessary, it was a wise economy if it prevented a collision of the people one with another, and the effusion of blood, from the knowledge of the presence of the troops. With reference to the fourth consideration—namely, that of furnishing relief to our troops in the colonies, if hon. Members would only recall the speech delivered by the right hon. Baronet the Member for Tamworth in 1845, they would remember that he insisted, and most properly, upon the bounden duty of those who had charge of the military arrangements in this country to see that those who were sent abroad in the service of their country should not be banished, as it were, into an honourable exile, but that they should within a reasonable time return to their friends in this country. The rule laid down at that time was, that a regiment serving in India should not serve more than fifteen years there—they had been known, however, to serve twenty-six; that regiments serving in the nearer colonies should not be abroad more than ten years; and that every regiment coming home to this country should remain five years. With the present force of the Army they had just arrived at that very desirable end. If the Committee, however, should agree to the proposition of the hon. Member for Montrose, and reduce the Army by 14,000 men, that system of relief could not be carried out. He therefore urged, as a matter of humanity, that they should be able to maintain a sufficient number of men here, so as to be able to relieve the troops abroad. On these four grounds he maintained that 103,000 men were not more than they were warranted in placing at the disposal of the Government for the maintenance of the interests of the country, exclusively of the troops in India. Considering the aspect of affairs abroad, and considering the protection we were called on to afford to our colonies abroad, with the view of maintaining peace at home, in Ireland, England, and Scotland, and with a view to a sensible system of relief abroad, he trusted the Committee would not cripple the means at the disposal of the Government by acceding to the proposal of his hon. Friend the Member for Montrose. He might here put in the hands of the hon. Chairman the vote for the number of men; but the custom of explanations of this kind led him to go into other votes which were included in the Army Estimates; and he would, therefore, proceed to take a rapid glance at the succeeding votes. The gross vote of 1848-9 was 3,971,122*l.*; this year 3,655,558*l.*, showing a difference of 315,834*l.* Then there was a charge for the East India Company of upwards of 100,000*l.* The next vote, No. 3, was for the staff. The gross vote for the staff last year was 172,886*l.*; this year it was 173,376*l.*; the increase upon the staff at home being 1606*l.*, and the decrease abroad 1,116*l.* When they came to these votes more particularly, he should have an opportunity of entering into the various items. On Vote 4, for public departments in 1848-9, the sum was 96,591*l.*, and in 1849, 94,199*l.*, showing a decrease of 2,392*l.* Vote 5, the Royal Military College, was a self-supporting institution, though all the fees received went into the Exchequer. In this there was an increase of 1,125*l.*; but this did not come out of the pockets of the public. The 6th Vote was for the Royal Military Asylum. The grant for this, in 1848, was 19,559*l.*, and in 1849-50, 19,298*l.*, showing a decrease of 261*l.* Vote 7 was the yeomanry corps. The charge under this head last year was 80,309*l.*, and this year 66,286*l.*; and that arose from this fact—that last year there was a fresh inspection, and the troops were well drilled and were quite ready for effective service; but considering that they were generally out last year on permanent duty, and were most satisfactorily reported on, and that many were out on voluntary service, it was felt, without any imputation derogatory to that body, that it would be sufficient to assemble them for simple exercise, and thereby a saving of 14,023*l.* was effected. Vote 8 was rewards for distinguished services, and upon that there was a small decrease of 387*l.* The vote for 1848-9 was 15,507*l.*, and for 1849-50 it was 15,120*l.* Vote 9 was pay of general officers, and the charge under that head for 1848-49 was 76,000*l.*; while the charge for 1849-50 was, in reality, only 65,000*l.*; showing a decrease of 11,000*l.* But there came that year, in that vote, a charge of a rather extraordinary nature. If hon. Gentlemen would turn to the estimates, they would see it explained in a note at the foot of the page. In the year 1818, the late General Murray was promoted from a Lieutenant Colonelcy in the Life Guards to the rank of Major General. He claimed to be retained on the strength of the Army as Lieutenant Colonel of the regiment from which he was promoted. The War Office and General Murray had, however, a dispute upon that point. The consequence of that dispute was, that General Murray had refused to draw any pay up to the present time. The House had regularly voted each year what he was legally entitled to; but from 1818 to 1848, the date of his death, it remained in the hands of the public, being regularly paid back into the Exchequer every year, General Murray refusing to draw it. His representatives had now put in a claim for his pay; and if it was to be paid with compound interest, it would amount to 24,000*l.* The public had the benefit of that interest, and the vote was now put in for 13,908*l.*, the net amount of the pay, and that would make a real increase in the vote of 2,908*l.* He now came to the Votes Nos. 10, 11, and 12, and these were votes which referred to the half-pay list. No. 10, was half-pay of reduced and retired officers; No. 11, military allowances to the same class; and No. 12, foreign half-pay. It was right for the Committee to know that what was commonly called the dead weight of the Army was most scrupulously attended to by those who had the administration of the financial affairs of the Army; and he should like to state to the Committee the difference that had taken place between the vote in the year 1821, and the vote for the present year. In 1821, the whole force of the Army, full-pay, unattached pay, retired half-pay, and foreign half-pay, amounted to 17,426; while the same votes for 1849, amounted to 10,514, being a diminution of 6,912. There was a small increase amounting to 1,016*l.* upon the full-pay; but then there was an increase in the men of equal proportion. The unattached pay, in 1822, was 182,426*l.*, while the same vote for 1849, was 65,000*l.*, showing a saving of 117,426. The retired full-pay for 1822, was 145,235*l.*, it was at present 56,000*l.* The half-pay, in 1822, was 870,811*l.*, it was now 400,000*l.*, showing a decrease of upwards of 470,811*l.* The foreign half-pay was, in 1822, 97,000*l.*, it was at present 30,000*l.*, showing a reduction of 67,000*l.* So that the whole decrease in these three or four votes—from the year 1822 to the present time—was no less a sum than 745,000*l.* That, he thought, was a clear proof that, so far as the dead weight of the Army was concerned, it had been most narrowly watched by every Government into whose hands it had fallen. The next vote, No. 13, was for widows' pensions. Last year the gross charge was 129,855*l.*; this year it was 128,778*l.*, being a decrease of 1,077*l.* Vote 14 was for compassionate allowances, which was 95,500*l.* this year, against 98,000*l.* last year, a decrease of 2,500*l.* The next vote was No. 15, for in-pensioners, and the gross vote last year for that branch was 38,580*l.*, while for the present year it was 35,541*l.*, making a decrease of 3,039*l.* Vote 16, for out-pensions in 1848-49, was 1,248,810*l.*, while for 1849-50 it was 1,224,053*l.*, making a decrease of 24,757*l.* He would not go into the various items of that vote; but there was one of them which he was anxious to explain, inasmuch as he thought it had not been understood; and, therefore, it had been misrepresented. It was a vote of 500*l.* taken for the pay of an officer (Captain Tulloch) to be sent by the Government to Canada to revise the state of the pensioners in British North America, and for the formation, if possible, and if a sufficient number of efficient men could be procured, of a body of men on the same system as the enrolled pensioners in this country. At the present moment little was known of the state or efficiency of the pensioners in British North America—they were paid through the Commissariat — and it might be that many of the same faults might be found in the payment of those pensioners as had been discovered by the investigations that had taken place at home. Captain Tulloch was well acquainted with the whole system of the enrolling of these pensioners; and the Government was of opinion that no more efficient person could be sent out than that gallant officer; and he had no doubt that the sum of 500*l.*, which was voted to him for that service, would be more than amply repaid to the public. The only other vote remaining in the estimate was No. 17, for superannuated allowances. There was a small decrease in that of 232*l.*; the gross charge for 1848-9 being 38,232*l.*, and for 1849, 38,000*l.* That showed a decrease, altogether, in the non-effective service, of 48,029*l.*, and if to that were added the 330,529*l.* decrease in the half-pay and non-effective votes, showed a gross sum of 378,624*l.*, as compared with the former year to which he had referred. That was the state of the financial affairs of the military department for the present year. But then it had been said that the charges for the present year should be regulated by the standard of the year 1835. So far as regarded that argument he was glad to see that his hon. Friend the Member for Montrose proposed to arrive at that point gradually, and not all at once. Last year, he (Mr. F. Maule) had gone into details of the difference between the estimates for the years 1835 and 1848; and he would now venture to point out the difference between 1835 and 1849. So far as regarded the difference in the charge to the public, the amount was very small between the burden of taxation upon the public in 1849 and 1835, for the maintenance of the Army. In 1835 the gross charge on the Army Estimates was 5,906,782*l.*, and the gross charge on the Army in 1849–50 was 6,142,211*l.*; the increased charge on the present year, as compared with the year 1835, being only 235,429*l.*, and no more. Well, but since 1835 there had been many charges placed on the Army Estimates, which, with the consent and concurrence of that House, and after mature deliberation, had been transferred from other departments; and he could almost show that if the same charges had existed and been included in the Army Estimates in 1835 — if, for instance, the 50,000*l.* surrendered last year as poundage upon pensions — if the sum voted for the erection of military prisons, which had been erected in lieu of corporal punishment, which, by the unanimous concurrence of the House, had been almost abolished—if the same votes for education, for military libraries, and other expenses of the Army had been included, the estimates for 1835 would have been considerably greater than the estimates for 1849, while the force in 1849 was actually 30,000 men more than they had in 1835. This was all owing to the Government having paid so much attention to maintaining the efficiency of the Army in all its departments, and their having taken care that the non-effective department should be kept as low as possible—as low as the fair claims of justice and the fair claims for service could by any possibility admit. Since 1835, he was quite willing to admit, the number of staff officers had been increased. But that large addition had been occasioned by the sending of an additional number of troops to various stations. And when the number of troops was increased, his hon.

Friend the Member for Montrose must be aware that the proportion of men guided them in the proportion of officers; and where they had a certain number of men combined together they must have certain grades of officers, of different ranks, to command them; otherwise the balance of military power, which it was so essential to preserve, would be entirely lost. He might go through all the details of the votes of the year 1835 *seriatim*, but really he did not think it worth while to take up the time of the House, further than to give —distinctly and categorically—what were the charges put upon the estimates since 1835, to which he had just alluded. There was the increased pay to the adjutants, in consequence of the recommendation of the Naval and Military Commission in 1840, 3,000*l*; the good conduct pay, on the recommendation of the Abolition of Punishment Committee of 1836; the charge for military labourers, which had been transferred from the Commissariat, 24,000*l*.; allowance to regiments in China, 7,860*l*.; then there was the lodging money to married soldiers, 4,000*l*. The House had thought it indecent that the married soldiers should be compelled to live in the barracks; they found that the married and single men were living in the same rooms, and they very properly repudiated such a practice. It was accordingly proposed that commanding officers should be authorised to grant the usual allowance to married men, as far as the number fixed by the Army regulations with regard to married men extended, to find lodgings for themselves out of barracks. Then there was, as he had already said, a charge of 2,000*l*. now to be made for barrack libraries, and also 5,000*l*. for the education of soldiers' children. There was an additional item of which he doubted not that the House would fully approve. It sometimes became necessary to put soldiers in confinement for offences purely military; and, since secondary punishments had been increased so much as they had recently been, the necessity for military prisons had undergone a corresponding augmentation—an expense which he was sure the House would not repudiate, inasmuch as it would prevent the necessity of sending soldiers, guilty of no moral or civil offence, to herd amongst common felons. The sum added for this purpose was 28,000*l*. The other votes which he might here mention were on account of Divine service, or rather spiritual assistance, to Roman Catholics, 3,000*l*. —for regimental savings banks, 2,500*l*.; for good-conduct warrants, 4,000*l*.; for the Guernsey and Jersey militia, 2,700*l*.; and for the St. Helena corps, 11,988*l*., which, with 5,500*l*. for other items, gave a total of 253,000*l*. in the shape of additional charges since 1835; and upon the whole the country possessed the services of a much larger force in 1849 than 1835. He should now come to some other matters relating to the general condition of the troops both at home and abroad, and more especially to the sanitary condition of our military force. He held in his hand a statement from Captain Tulloch on this subject, the substance of which he now proposed to lay before the House, as follows:—In Jamaica, the average mortality per 1,000 of white troops annually during a period of 20 years, ending in 1836, amounted to 121 3-10ths; during a period of 10 years, ending in 1846, 66 9-10ths; the difference in the mortality per 1,000 of troops employed, 54 4-10ths reduction. Windward and Leeward Islands, during a period of 20 years ending in 1836, 71 5-10ths; period of 10 years ending in 1846, 68 7-10ths; reduction, 9 8-10ths. Gibraltar, 20 years ending in 1836, 21 4-10ths; 10 years ending in 1846, 10 9-10ths; reduction, 10 5-10ths. Malta, 20 years ending in 1836, 16 3-10ths; 10 years ending in 1846, 14 9-10ths; reduction, 1 4-10ths. Ionian Islands, 20 years ending in 1836, 25 2-10ths; 10 years ending in 1846, 15 5-10ths; reduction, 9 7-10ths. Bermudas, 20 years ending in 1836, 28 8-10ths; 10 years ending in 1846, 29 2-10ths; excess, 4-10ths. Nova Scotia and New Brunswick, 20 years ending in 1836, 14 7-10ths; 10 years ending in 1846, 13; reduction, 1 7-10ths. Canada, 20 years ending in 1836, 16 1-10th; 10 years ending in 1846, 12 6-10ths; reduction, 3 5-10ths. Newfoundland, 20 years ending in 1836, 41; 10 years ending in 1846, 9 1-10th; reduction, 31 9-10ths. St. Helena, 20 years ending in 1836, 34 2-10ths; 10 years ending in 1846, 15 4-10ths; reduction, 18 8-10ths. Mauritius, 20 years ending in 1836, 27 4-10ths; 10 years ending in 1846, 24 4-10ths; reduction, 3. Ceylon, 20 years ending in 1836, 69 8-10ths; 10 years ending in 1846, 41 4-10ths; reduction, 28 4-10ths. New South Wales and Van Diemen's Land, 20 years ending in 1836, 14; 10 years ending in 1846, 11; reduction, 3. Cape of Good Hope, 20 years ending in

1836, 13 7-10ths; 10 years ending in 1846, 13; reduction, 7-10ths. In the Windward and Leeward command, the average mortality per 1,000 of black troops annually during a period of 20 years ending in 1836 amounted to 40; 10 years ending in 1846, 30; difference in the mortality per 1,000 of troops employed, 10 reduction. Jamaica, 20 years ending in 1836, 30; 10 years ending in 1846, 26 5-10ths; reduction, 3 5-10ths. Ceylon, 20 years ending in 1836, 24 8-10ths; 10 years ending in 1846, 24 7-10ths; reduction, 1-10th. Cape of Good Hope, 20 years ending in 1836, 10 9-10ths; 10 years ending in 1846, 14 8-10ths; excess, 3 9-10ths. In the Household Cavalry the average mortality per 1,000 of troops employed in the united kingdom during a period of 7 years previous to 1836, 14 5-10ths; 10 years ending in 1846, 11 1-10th; difference in the mortality per 1,000, 3 4-10ths reduction. Dragoon Guards and Dragoons, 7 years previous to 1836, 15 3-10ths; 10 years ending in 1846, 13 7-10ths; reduction, 1 6-10ths. Foot Guards, 7 years previous to 1836, 21 6-10ths; 10 years ending in 1846, 20 4-10ths; reduction, 1 2-10ths. Line Regiments, 7 years previous to 1836, 18 5-10ths; 10 years ending in 1846, 17 9-10ths; reduction, 6-10ths. In Jamaica the deaths that would have taken place among the white troops had the mortality from 1836 to 1846 been at the same rate as in the previous 20 years, 1,960; whereas the number who actually died during the periods under review were only 1,082; saving of life during the 10 years ending in 1846, 878; in the Windward and Leeward Islands, deaths that would have place, 2,655; actually died, 2,323; saving, 332. In Gibraltar, deaths that would have taken place, 718; actually died, 364; saving, 354. In Malta, deaths that would have taken place, 348; actually died, 319; saving, 29. In the Ionian Islands, deaths that would have taken place, 660; actually died, 405; saving, 255. In the Bermudas, excess, 5. In Nova Scotia and New Brunswick, deaths that would have taken place, 396; actually died, 351; saving, 45. In Canada, deaths that would have taken place, 1,472; actually died, 1,153; saving, 319. In Newfoundland, deaths that would have taken place, 154; actually died, 34; saving, 120. In St. Helena, deaths that would have taken place, 95; actually died, 43; saving, 52. At the Cape of Good Hope, deaths that would have taken place, 345; actually died, 327; saving, 18. At the Mauritius, deaths that would have taken place, 474; actually died, 422; saving, 52. In Ceylon, deaths that would have taken place, 1,085; actually died, 644; saving, 441. In New South Wales and Van Diemen's Land, deaths that would have taken place, 312; actually died, 242; saving, 70. At the home stations, the deaths that would have taken place among the Household Cavalry, 174; actually died, 134; saving, 40. Among the Dragoon Guards and Dragoons, deaths that would have taken place, 836; actually died 742; saving, 94. Among the Foot Guards, deaths that would have taken place, 865; actually died, 820; saving, 45. Among the Line Regiments, deaths that would have taken place, 2,965; actually died, 2,860; saving, 105. Under the Windward and Leeward Command, the deaths that would have taken place among the black troops, 457; actually died, 340; saving, 117. In Jamaica, the deaths that would have taken place, 164; actually died, 146; saving, 18. In Ceylon, deaths that would have taken place, 498; actually died, 497; saving, 1. At the Cape of Good Hope, excess, 19; total excess, 24. Total of those who would have died, 16,633; total of those who actually died, 13,248: making a total saving of life, in the course of this period, of 3,385 men, which was nearly equal to five battalions. Now, he maintained that that was a most satisfactory proof that the attention that had been given by that House to the subject, and the concessions that had been made to improve the condition of the soldiers in quarters at home and abroad, were attended with results most satisfactory to humanity in the salvation of lives, and that in point of economy also it had been attended with the most satisfactory results. And, now, this point led him to that subject to which the noble Lord opposite (Viscount Drumlanrig) had referred in a series of questions which he proposed to ask him this night—namely, the unfortunate and calamitous visitation with which Providence had afflicted Barbadoes during the last year. He had no objection, if the noble Lord insisted upon it, to produce the returns for which the noble Lord intended to move—namely, returns of the strength, in rank and file, of the service companies of the 72nd and 66th Regiments when they arrived in Barbadoes, and of the number attacked with illness, as well as of deaths. For his own part, while he expressed his deep regret at what had happened, he did not see how any good could result from granting the specific Motion which was asked for by the noble Viscount. Other regiments had suffered considerably by similar visitations of Providence in different parts of the world from time to time; and he believed that so long as they continued to send regiments to the West Indies, they must be subject in one island or another to such visitations. He was afraid that that which had happened to those particular regiments was not different from that which had happened to other regiments that had preceded them in former times. Suffice it to say, that every possible means were and would be adopted to render the West India stations as healthy as possible, and he thought that the statement of mortality which he had just read to the House was evidence sufficient to show that every means had been taken to effect such alterations as advanced as far as possible the sanatory condition of the troops in those colonies. It had been stated that the visitation of the yellow fever had pressed more heavily on Barbadoes in consequence of the peculiar position of the barracks in which the troops were quartered. Now, that might or might not be the case; but for the purpose of showing generally that St. Ann's barracks in ordinary times were not unhealthy, he had ascertained the amount of mortality that had existed there in past years. He found that the mortality in Barbadoes in 1843 was only 2½ per cent; in 1844, 2½ per cent; in 1845, 3 per cent; in 1846, previous to the last visitation, 2 per cent; and in 1847, when the yellow fever existed, not more than 7 per cent. He, therefore, could not admit that the position of St. Ann's barracks was altogether to be blamed for the recent mortality. But even if it were, everything that could be done—under the circumstances—to protect the health of the soldiers was done by the present Government. When the Government came into office, he issued a circular letter to all the officers commanding in the West Indies to report most minutely as to what sanitary precautions could be taken to preserve the health of the troops. In Barbadoes there was no elevation to be attained higher than 1,000 feet; and even supposing they had barracks built upon the highest range, and that it was at all convenient to effect such a change, that would not remedy the evil entirely, for, as medical men had informed him, the troops even there would come in contact with what was called the floating surface of the fever; the land, especially in Barbadoes and Antigua, lying lower than in most other islands in the West Indian command. In Antigua they had selected the highest accessible ground for the troops to be stationed. One of the noble Viscount's questions related to the number of deaths that had taken place in the 66th Regiment; another, whether any case of yellow fever had occurred in the 72nd before the 66th were encamped in the rear of their barracks? And also if the officers of those regiments had not been put to great expense for medical advice? In reply to the first of these questions, he should state that the 66th arrived in the island of Barbadoes about the end of February; and, after a day or two, took possession of the barracks of the 88th, which regiment they relieved? They remained tolerably healthy till about the end of August, when disease became virulent. On the 6th of September they were encamped. As many as eighteen had died before the 1st of September, and seventeen had died during the month of September. As to the latter clause of the question respecting Dr. Davy's letter to the medical inspector, he had no information to give. In reply to the noble Lord's second question, respecting assistant-surgeon Simpson's letter to Dr. Davy, he had only to say that no such letter was in the hands of the inspector general. His reply to the third question was this—that no case of yellow fever occurred in the 72nd Regiment prior to the 66th being encamped. The 66th were encamped on the 6th of September, and the first case of yellow fever occurred in the 72nd on the 3rd of October. The 88th were encamped on the same ground as the 66th, while the 7th Fusileers occupied the same barracks, and no case of yellow fever occurred in that corps. The inference was that the 66th did not bring the fever by contagion. Then, with regard to the fourth question, concerning the expenses to which the officers were supposed to be put, he begged to inform the noble Lord, that on encampment the officers became entitled to field allowances, in order to enable them to meet extra expenses; and they had no occasion to pay anything extra for medical attendance. Next in order came the fifth question, which he had no means of answering, and he had only to state that the expense of encampment and extra stores would appear in the Ordnance and Commissariat accounts for the quarter. He had ascertained in regard to the sixth question, as to the number of medical officers that were in attendance during the epidemic, that during the year 1848 the number of medical officers on active duty in the island was, in January, 11; in February, 11; in March, 12; in April, 12; in May, 12; in June, 9; in July, 9; in August, 9; in September, 9; in October, 10; in November, 12; and in December, 9. The general officers had, moreover, power, if they thought necessary to exercise it, to send for as many more medical men as could be procured from other portions of the colonies. Considering that the force there was no more than 1,300 men altogether, he thought that the attendance of nine medical officers was sufficient for all purposes. Then, in regard to General Berkeley, it was said that he did not encamp the men, for the want of the necessary power. General Berkeley had the power to do so whenever the medical officers said it was necessary. So soon as the medical men reported that the men ought to be taken out of barracks, General Berkeley immediately caused them to be encamped; and, moreover, he was informed that General Berkeley had visited the hospitals daily; had encouraged the sick by the kindest language; had gone from ward to ward, and thereby exposed himself to the danger of contagion. Everything that could be done was done for the comfort of the troops, and the prevention of the spread of the epidemic. [Viscount DRUMLANRIG said, that he asked whether the 66th Regiment had been taken into barracks at all?] He regretted he could not produce the document that detailed all the facts connected with this subject; it was not in the possession of the director general of the medical department of the Army. He thought, however, that the course naturally would be this—that the medical officer in charge of the regiment would report to the senior medical officer the situation of the regiment, with a recommendation. If that recommendation was one for the removal of the regiment, the report, with such recommendation, would be sent to the general officer in command, without whose order the regiment could not be removed out of barracks. Suggestions had been thrown out in reference to this question of removal. He, however, thought that the smallest consideration would show that it would be the worst policy in the world to remove these regiments by sending out others in their place. He was happy to state that the epidemic had now apparently passed away; for the last account received from the director general of the medical department, which was up to the 9th of February, gave the following statement of cases now remaining in hospital. Of the artillery, none; of the 19th, none; of the 45th, two; of the 66th, none; of the 72nd, none; and none of the 88th. There were, then, only two men remaining in hospital. There would be established in Barbadoes, upon an elevated site called Gun Hill, a station to which the troops could be removed on the first appearance of yellow fever. He now wished to advert to another point, upon which he wished to say a few words—namely, the general conduct of the Army during the past year. He was quite certain of this, that there was no circumstance or no part of the history of the Army in which that House or the country ought to take a more lively interest, or to insist upon more minute inquiries, than that relating to the moral or general good conduct of their troops. After all that House had done for the Army, and after all that it was still ready to do upon good cause shown, they had a right to expect that the Army would not only maintain its character for general good conduct, but proceed regularly in a course of improvement. He had not been able to collect the whole of the information he should like to obtain from every quarter in which their Army had been placed; but he had taken a period of four months in Ireland, namely, June, July, August, and September in the last year, as a criterion by which they could form a fair opinion of their Army generally. During these months, it would be recollected that a large portion of the army stationed in Ireland had the most harassing duties to perform, and were exposed to considerable annoyance. They were for a portion of that time placed under canvas, and exposed to very bad weather. The barracks were occupied with a much larger number of soldiers than they could conveniently accommodate. All these circumstances were calculated to create discontent amongst them, if they were so disposed, or to induce them to misconduct themselves, if they were inclined to resent the privations they endured. In June, there were in Ireland 28,324. The amount of corporal punishment awarded in that month was one in 3,149. In July, there were 27,954, and the corporal punishment was one in 3,106. In August, the number was 30,906; the corporal punishment was one in 3,099. In September, the number of the army there was 31,343, and the corporal punishment one in 2,403. During the whole year, the punishment inflicted was one in 1,090. He thought that such a statement of the conduct of the army in Ireland during four months proved, at least, that the general good conduct of the Army was such as to induce them to place their greatest reliance upon the honour and fidelity of their troops, and to make that House and the country proud of having under their orders a body of men so well trained, and upon whom they could always look with the greatest confidence for protection. In pursuing this subject further, he would now refer to the number of those sentenced to imprisonment in the military prisons. The total number of men placed in confinement during the last year had been 4,043; and the average number of men in confinement during the year ending the 31st December last, was 784, the total expense of which was 14,801*l.*; but this money was ultimately repaid the Government by the stoppages that were made from the soldiers' pay. The conduct of these prisoners was reported by the inspector general to have been good. There were twenty-one sentenced to solitary confinement; one to be placed in irons. The number of those who suffered corporal punishment in prison for the offence of striking the governor or officers amounted only to thirteen. He believed that this was a sufficient proof that the efforts made by this House to improve the moral condition of the Army have been most successful, and he hoped would act as a stimulus to them to pursue the same course as they had hitherto done. He was happy to state that the system of training schoolmasters for the education of the soldiers, which had been devised by his right hon. Friend opposite, was steadily acted upon, and they were now about to send forth six trained schoolmasters to take charge of schools in England. He trusted that many years would not elapse before they had one uniform system of instruction for the whole Army—that the soldiers would be educated as they ought to be, and their children obtain the benefit of the same system, which would be found exactly the same, though the scene of their service might be frequently changed. He had now gone through most of the topics upon which he wished to address the House. There was, however, still one other subject upon which he felt he could not avoid saying a few words to the House; and that was for the purpose of refuting many charges and many assertions that had been uttered against the Army in general by a body of individuals who had constituted themselves a financial reform committee. He would not have noticed any of these charges if they had been founded in fact. He did not object, and he was sure that no person in the Army would object, to the utmost scrutiny into the whole expenditure connected with that service. With that the officers had nothing whatever to do. That matter rested exclusively with the officials of Government and the determination of that House. No objection would be made to any scrutiny into the expenditure of the Army, if it had been conducted in a fair or proper manner; but, inasmuch as the statement put forward by this finance committee at Liverpool was not founded on either fairness or justice, and as the tone of it tended to do great injury, not only in the Army, but to those very parties themselves who had put forward the statement, he thought it necessary to say a few words upon the subject. In the first place, the committee had attacked the system of clothing the Army. Surely the committee might have attacked that system without imputing motives to persons whose duty it was to provide clothing for their men, not under any arrangement of their own, but under a system that had existed for upwards of a hundred and forty years. Surely they might have pursued these inquiries upon this subject without insinuating that the colonels and quarter-masters of regiments laid their heads together to devise such a plan in respect to the clothing of the soldiers as would enhance their own profits, and that often half worn-out articles of dress were thrown aside. Now, what were the facts connected with this subject? In 1783 the question of army clothing was fully inquired into by the Commissioners for Public Service; and the result of their investigation was a report, stating that neither in point of economy, nor in respect to public satisfaction, could any change be made in the system that was then practised. In 1798 there was a Finance Committee appointed to inquire into the same subject, and it terminated its inquiry with the same result. In 1808, a third Committee investigated the matter, and it was attended with a similar result. In 1833 a Committee of that House—many of whom, he would venture to say, were as prejudiced as any members of the Liverpool financial committee—went into the consideration of the subject, and they agreed unanimously to a report containing these passages:—

> "It further appears that the wholesome cautions and checks by which the supply of clothing by the colonels has been accompanied, have invariably secured the comfort and satisfaction of the soldier, and the complete efficiency of this branch of the public service. The Committee are not, therefore, prepared to suggest any change in this long-established system, which, although at first it may appear anomalous, and to involve the objectionable principle of giving profit to the colonels out of monies ostensibly voted for another purpose, secures the responsibility of those officers for the just and punctual distribution of the clothing to the different regiments, dispersed as they are throughout various and distant colonies, and which at the same time protects the public from the losses to which they would be exposed by the accumulation of stores of this description supplied under the management of public boards from extensive establishments, superannuation allowances to those who conduct them, and from that multiplicity of accounts which a transfer of the charge of this supply from those in whom it is now vested into any other hands must inevitably produce."

That was the conclusion this Committee unanimously arrived at in 1833; and it was too hard to charge on these "clothing colonels," as they had been called, the responsibility of a system which had undergone no less than four scrutinies, and for which, be it remembered, these financial reformers had proposed no substitute, But he was sorry to observe that this committee at Liverpool had not confined themselves to groundless assertions against the colonels only. The whole tone and tenor of the pamphlets of the Liverpool Financial Association appeared to be directed to the unworthy object of running down the officer in the opinion of the soldier, and both in the opinion of the public. The system by which the Army was officered was represented as one which had been designed and fashioned for the exclusive purpose of benefiting the aristocracy; and, in a word, nothing was left undone to promote the circulation of errors and misrepresentations, which were fraught with danger, not only to the constitution of the Army, but to the very existence of good order in the country at large. If from any unforeseen accident the soldier should unfortunately lose the confidence which he now happily and most justly reposed in the officer who commanded him; and if, losing that confidence, he also ceased to entertain that regard for discipline which confidence in the officer was sure to infuse amongst the troops, he had no hesitation in predicting that the Army would degenerate into an armed rabble, and the sooner it was got rid of the better would it be for the country. And who were the people who would suffer most severely from that state of things? Not the officers in the Army, nor the landed gentry who resided on their estates in rural districts, but the very men who inhabited the towns, and who were most vehement in their exertions to raise this shameful outcry. If the soldier were inspired with a want of confidence in his officer, and if military discipline were, in consequence, materially impaired, the towns would be the first to suffer. Instead of having soldiers walking through the streets in an orderly, peaceable manner, keeping their hands from picking and stealing, and their tongues from the use of discourteous language, there would be a set of rude ill-mannered fellows, leaning about in every direction, and insulting every one they met, and the well-conducted inhabitants of the towns would be the first to rue the day when an attempt was made to hold up the officer to the odium of the soldier, and to diminish his influence over the men he commanded. He had felt it his duty to make these observations upon the proceedings of the Liverpool Financial Association. So far from shunning inquiry on the subject of the expenditure of the public money, he courted and invited it; but he was most decidedly of opinion that such an inquiry was best carried on, and ought always to be carried on, with a due reference to the feelings of others—with a due reference to the position of the officers of the Army in relation to the soldiery—and, above all, with a due reference to considerations of public safety, which imperatively required that that respect for authority should be maintained which was the vital principle of good order, and without which the British Army would be a disgrace to this empire, and instead of being a terror to the enemies of England, and a protection to her friends, would turn out to be a terror to her friends and an ally to her enemies.

Motion made, and Question proposed—

> "That a number of Land Forces, not exceeding 103,254 Men (exclusive of the Men employed in the Territorial Possessions of the East India Company), Commissioned and Non-Commissioned

Officers included, be maintained for the Service of the United Kingdom of Great Britain and Ireland, from the 1st day of April, 1849, to the 31st day of March, 1850, inclusive."

VISCOUNT DRUMLANRIG said, that he had permission from the hon. Member for Montrose to say a few words in answer to the Secretary at War, before that hon. Gentleman rose to move his Amendment. He (Viscount Drumlanrig) thought that the House would agree with him that this mortality in Barbadoes was no light affair, when he stated that out of thirteen officers who had accompanied the 66th regiment, only two had escaped the fever; and out of these eleven, seven had died. The mortality in the 72nd regiment was quite as bad, and still continued. He was glad to hear that a new station was to be built for troops in that island, who might in future years be again visited by yellow fever; and the House would agree that it was high time something should be done, when they heard what sort of accommodation there was for soldiers in the barracks at St. Ann's. The barracks were built of stone, they were in the form of a square, which prevented any fresh current of air; and there was a graveyard right in the rear of the barrack yard. No officer, except the colonel, had more than one room to himself, and no less than eighty or ninety men were crammed into one apartment—this in such a climate as Barbadoes! He hoped the assistant surgeon's letter to Dr. Davy, the medical superintendent, would be produced, because he (Viscount Drumlanrig) was told on authority he could not doubt, that at least forty men died before orders were given to encamp the regiment, and that assistant-surgeon Simpson wrote this same letter, protesting against the way in which the men under his charge were sacrificed; and in order to remove all responsibility from off his shoulders, caused that letter to be entered on the minutes of the hospital journal at St. Ann's. The Secretary at War had said, that he did not know how the officers had been put to any expense. They were put to great expense in this way: as soon as the yellow fever broke out in the barracks, they were anxious to provide themselves with healthy quarters; but no orders being given that such quarters should be provided for them, they were obliged, at their own expense, to hire houses, for which houses they had to pay at the rate of seven or eight pounds a month—surely this was a hardship.

MR. HUME was glad to hear from his right hon. Friend the Secretary at War the statement as to the improvements which had taken place, with regard to the Army, since the severity of punishments had been lessened; and, above all, when he recollected the severe punishments formerly inflicted by courts-martial. He remembered on one occasion having to state in that House the case of a man tried before a court-martial, who was sentenced to receive 1,700 lashes. On that occasion he stated, if they adopted a milder system they might place greater reliance on the good conduct of the men, and the result of the change which had been made gave him the greatest satisfaction. He would urge upon the House to consider that they now had proofs of the efficacy of mild punishment; and, therefore, whether discipline could not be maintained as well without as with flogging. He was also convinced of the advantages which had resulted from the improvements which had been adopted with respect to the morals and comforts of the soldiers, as stated by his right hon. Friend, and he could not forget that many of them were attributable to his right hon. Friend. It was a matter of satisfaction to consider that they had not laboured in vain, but that the service of the country had been better performed than at any previous period. He was satisfied that there was not one of the changes which had been adopted which was not conducive to the comfort, the discipline, and the good conduct of the soldiers. He had always said, and he then repeated it, that he never would begrudge a proper allowance for such improvements. He had always looked upon the soldiers as an ill-used class in this respect, and that by those who ought to have known better. He recollected many gallant friends of his say that discipline could not be maintained in an army of English, Irish, or Scotchmen, without flogging, and he was now glad that his right hon. Friend had been enabled to give such proofs to the country to the contrary. He felt also that in the barracks in this country which he had visited, there was not sufficient room for the recreation of the men. When they were not engaged in active service, some means should be afforded them for healthy exercise and for mental improvement, which, if not allowed, must deteriorate the condition and prove most injurious to the soldiers. He had been one of the first to propose the establishment of libraries in barracks, which he was told at the time would prove most dangerous; but the result had been most satisfactory, and the country would perceive the advantages of having an instructed army, rather than one in a state of brutal ignorance. The extension of this system would also have a beneficial effect on the health of the men, and any sum thus expended would prove more beneficial than a large amount expended in another way. Some observations had been made with regard to the Liverpool Association. He was not a member of it because he was not connected with the spot; but if he resided in the neighbourhood, he certainly should become a member. He had laid it down as a rule, as regards belonging to societies, that he would confine himself to those which he considered within legitimate limits. That association had done great good. They had opened the eyes of the country to the enormity of the establishments of the country. He had often heard it stated that the man who made two blades of grass grow where one only grew before, was a benefactor to his country; and, upon that principle, if the Liverpool Association could make a five-pound note go as far as a ten-pound note, they would merit the thanks and gratitude of the country. But what had the Liverpool Association done? What was the sum and substance of the charge against them? They had expressed strong opinions on certain subjects, and he thought with a great deal of good sense; and he had no doubt they had opened the eyes of the community to many things to which they had hitherto been blind, in exposing the abuses which existed in connexion with many of the establishments in the country. What, then, was the ground of charge against the Liverpool Association? Was it that they had stated that the colonels were traders?

Mr. F. MAULE remarked that what he complained of was, that they had stated that the colonels of regiments were instrumental in cheating the soldiers with respect to their clothing.

Mr. HUME observed that that was a great error, and was most unjust. He had moved for the appointment of a Committee in 1833 which investigated the question of clothing the Army, and many other matters connected with it. When that Committee was appointed, both Sir Henry Parnell and himself entertained strong opinions as to the evils of the existing system of clothing the Army; but the evidence of all the officers and other persons well able to form an opinion on the subject, was in favour of the present system. Therefore his opinion was materially affected. It was quite true that the resolution, and other parts of the report read by his right hon. Friend, had passed unanimously; but the reason of this was the good disposition of the officers of the Army and Navy, examined before the Committee, to give up the existing military sinecures on the death of the then holders, and to take one-half the amount to be distributed for distinguished service, and for good conduct to the men. He thought he should have been acting very improperly if he had taken any step which would have prevented the principle adopted by the Committee from being carried out. The report alluded to also stated that such checks had been adopted with regard to the clothing of the troops, that they had proved most beneficial to the soldiers, and had improved their health and added to their comforts. He recollected at the time he alluded to it, that the artillery were better supplied, and had better clothing than the line. Since, however, the period when the Committee sat, there had been a great improvement in the clothing of the Army. There was not a better clothed corps than the artillery; and it did not require the interference of any colonel, but the whole matter was managed by a committee of officers. It appeared to him that the attack that had been made was against the system; but in doing so some errors were committed. If these parties had read the report of the Committee, they would have seen that the management of the clothing was placed in the hands of agents, and the colonels had nothing to do with the matter but to receive the differences on the allowances. When the price of cloth was high, they got less, but when it was low, they got something more; but personally they had nothing to do with the matter. Any one who had not seen the blue book, but had only looked at the surface, might be led to believe that the colonels made a profit in the way stated. But take any of the other items, and they would not find such errors. He had looked into these pamphlets, and more especially into those which referred to the comparative expenses of various establishments in different years, and they appeared to him to have been very accurate. Another point alluded to by his right hon. Friend was in shape of a quotation from a document which he trusted would be laid on the table of the House—he meant the document giving the statistics of the British Army since 1836.

He had pressed for such military statistics twenty years ago; but he was laughed at in that House, and was told in that House by military men that they never could be prepared so as to give any accurate information. But Lord Hardinge and other officers had subsequently admitted the full importance of the question, and that was ample satisfaction to him. His right hon. Friend had been very candid in his statement of the reason why so large a force as 103,254 men was required. He (Mr. Hume) had often alleged the same reasons, but their truth had always heretofore been denied. His right hon. Friend stated that there were four reasons for maintaining the force at 103,254 men. The first was the state of foreign affairs. [Mr. F. MAULE: I said the aspect of affairs abroad.] Foreign and abroad were the same thing—at least he used the word in that sense. England had suffered already more than could be described by her intermeddling in foreign affairs. If there was any declaration that gave the people more satisfaction than they would have felt from another, it was in 1830, when Earl Grey declared that the basis of his administration would be the non-interference principle. He could trace the origin of 680,000,000*l.* of debt to the meddling in foreign affairs since 1792. That meddling had saddled the country with a perpetual annuity of 19,000,000*l.* So that the principle of 1830 was a good one; but it had been forgotten. A great portion of the naval and military expenditure of late years had been caused by intervention. His hon. Friend the Member for the West Riding had gone into the facts, into which he would not follow him. But if foreign interference were let alone, millions would be saved. He recollected Mr. Canning saying, when he sent 5,000 troops to Portugal, that he would not have done so had he not had a good bottle-holder; meaning thereby that these troops were not wanted in England, where, nevertheless, they were maintained as a surplus force. He objected to a surplus force. There was no object in maintaining such a force; and the mere fact that there was a spare body of troops which might be detached and sent away without impairing the defences of the kingdom, was often a stimulus and an incentive to intervention. His right hon. Friend next said that the force was required to provide for the colonies; but he should be glad to know where the country was at this moment which would think of interfering with any colony of Great Britain? What troops were wanted in the colonies? Canada now possessed, he was happy to say, a responsible Government; why, then, retain there 7,000 troops? The House must remember that so many men of the line required twenty-two companies of artillery, with a proportion of sappers and miners, and of the commissariat—all went together, and the expense was at least double that which was required for the payment of the men. Why was not the militia enough for it? There was no desire on their parts to separate from us; and why such a military force was wanted there, he could not comprehend. If merely a bodyguard of the line were wanted for the Governor, as the representative of Her Majesty, he would not object; but beyond that, his advice was, withdraw all the forces. Let them relieve the colonies from the eternal meddling of the Colonial Office; and the best remedy he could suggest for them would be, to lock the door of the noble Lord's office, and let the colonies govern themselves. His right hon. Friend had referred to Ceylon, and talked of the insurrection there as a reason against a diminution of the force. But what was the cause of the outbreak? If men were sent out who were incapable of managing themselves or others, such results must be expected. The reserve which was maintained for the change of troops in the colonies was far too great. Supposing they required 40,000 men, who were relieved every ten years in rotation, a reserve of 4,000 men would suffice to effect that. He therefore objected to the number of troops required for the colonies. The next item in the list of his right hon. Friend was the quota of troops necessary for the home service. He must confess that he had always entertained a belief that there was a certain proportion of the whole force which was expressly maintained for the purpose assigned to it by his right hon. Friend; but it had always heretofore been denied that any such intention or purpose existed. His right hon. Friend's honesty and candour had, however, saved him from any trouble in again arguing that point; and he must ask the House whether it was not a very serious matter when they came to reflect that there were 20,000 men employed in the home service more than there had been in the years 1835-6? And this solely to preserve the peace at home. Not a man desired the preservation of peace and order more than he, and no one would go further to maintain it. The question, then, arose, what was it that rendered Englishmen discontented, and so made it necessary to keep up a force of armed men? He had always looked upon England as a civil country, governed by a civil power; and our great boast, from the time of Elizabeth, was, that it was so. When that Queen was asked if she would not have a guard, her answer was, "Every subject I have is my guard." Now, it appears, the note is changed, by our keeping up a force of 50,000 men in these islands. What was the reason? Fear of the working classes? If there were one class which more than another was interested in the maintenance of peace in society, it was the poor—the working class. Nothing like disorder, or an interruption of the harmony of the community, could arise without making the working man the first victim. The rich might hold on; it was the poor man who earned his daily bread by labour who suffered first and most. If he was told by the Government that it was necessary to maintain this force in order to preserve peace, then he had a right to ask what were the causes of discontent which rendered it thus necessary. If there was discontent, it was for the Government to consider whether they would ascertain the cause with a view of removing it; or coerce the people and dragoon them. His right hon. Friend referred to the number of applications he had had for troops, and asked how he was to refuse them. From the time the Duke of York became Commander-in-Chief, this country lost much of its civil character, and the practice grew up of resorting to the troops on every occasion; a system which ought to be put an end to, and reliance placed upon the civil authorities of the country. But now, many of the magistrates, remembering perhaps their old doings, if only the cat stirred in the straw, they sent for the soldiers. Did his right hon. Friend or the right hon. Baronet the Home Secretary mean to say that they would answer all such claims, and send a troop of soldiers to see if anything came out of it? With all respect to the Government, he must say that there was somewhat too much of this, and that they seemed to have forgotten that England depended upon her civil government for the superiority she held. He hoped they would discountenance such applications, and rather seek into the causes of any discontent that might prevail. He regretted to observe the absence of the Members of the Government. They had none of them there, so they had it all their own way. But they could afford to be away, for there was no opposition to the Government. It had been said by Members that they were as useful to the country when sitting on the Opposition side as when on the Ministerial benches; but now it was come to a pass that Whigs and Tories were all in one class together, and the Radicals were so dispersed that there was no Opposition at all. However, he would advise the Government—and he hoped his right hon. the Secretary at War would tell them when they came in—instead of keeping up a military force to preserve quiet at home, that it would be much better to yield to the wishes of the masses of the people, and make them contented, by giving them what they had a right to have, rather than to make them discontented by withholding their rights. That appeared to him the proper course to enable the Government to reduce the establishments, and yet leave them amply efficient for the public service. But the array of figures in the military expenditure was terrible to look at. He could show that 185,000 men were supplied last year with small arms from the Ordnance, not including the yeomanry. There were 11,000 Irish police, 12,000 English metropolitan and provincial police, and altogether there were upwards of 200,000 men in arms in the country, exclusive of the Navy. It appeared as if the Government were frightened at their own shadows, and they were bearing down the country with the weight of so enormous an expenditure. In bringing forward his Amendment, he was quite aware he might be accused of a desire to reduce the number of men too much, and for that reason he would state the grounds upon which his Amendment was based. It might be said that a reduction of 14,000 men was too great, but it was only an approximation to the number of men employed in 1835–6. In the three years comprised within 1833 and 1836, the average number of men was 86,547. In the three years comprised within 1845 and 1848, the average number of men was 105,672. He wanted to go back to the average of 1836. The artillery, also, had increased since the peace. There were nine battalions of artillery at the close of the war in 1815. There were twelve battalions now after thirty-four years' peace. He thought that he had made out a case for the Amendment he had to propose, and all he could say was, that if the House went with him in his Motion, the effect would be to reduce the expenditure of the country by 9¼ millions, perhaps 11½ millions; and he would promise hon. Members opposite, that if they joined him he would soon take off the duties on malt, hops, bricks, soap, windows, and paper. What more could he promise? Many of the prophecies which he had made had been actually fulfilled; and he called upon the House to give him a little trust for the future. Grant this reduction of the force, and there would immediately be a reduction of the amount of taxation, and with that reduction of taxation the prosperity of the country would be improved, and we should be better prepared for war. Next year he would come down for more reductions. If he could only get a Liverpool Association in every town in the country, there would be some hope; he was beginning to be a little sanguine, and, therefore, he now moved to reduce the whole number of men by 14,254.

Afterwards Motion made, and Question put—

"That a number of Land Forces, not exceeding 89,254 Men (exclusive of the Men employed in the Territorial Possessions of the East India Company), Commissioned and Non-Commissioned Officers included, be maintained for the Service of the United Kingdom of Great Britain and Ireland, from the 1st day of April 1849 to the 31st day of March 1850 inclusive."

MR. H. DRUMMOND said, he thought, as there were no Ministers in the House—no doubt they were discussing these subjects over a cool bottle—they might as well have a little quiet conversation amongst themselves. The hon. Member for Montrose had complained loudly of the augmentation of our defensive forces that had taken place within the last twenty years, but he had said little as to the reasons which necessitated that augmentation. He (Mr. H. Drummond) must confess, that in his opinion, the more you increased in manufacturing population, the more you must increase your force of some kind; he did not care whether blue coats or red coats, but a force you must have. It was not the country magistrates, it was the mayors of the manufacturing towns, who called meetings on one hand, and applied for the military on the other; and just in proportion as those merchants and manufacturers who clamoured most loudly on this subject were cowards at one moment, so were they bullies at another. They were the very people who led you into the war with South America. [Mr. GIBSON CRAIG: No, no!] Yes, but they did; and they were the very people who turned pale at the expense of which they were the causes. If you entered into war, you must not come out till you had conquered. Either do not begin to fight at all, or fight till you are dead. Make what apologies you like before you come to the ground, but I beseech you, when you are once on the ground, stand to it. He said to those manufacturing Gentlemen, "Do not enter into these quarrels, or, if you do, do not grudge the expense to the Government." It was said, we had a great many more artillerymen now than during the war, but it was notorious that we had then far too few artillery. There was not a man who had any knowledge of military matters, but must confess that the arm in which the English Army was inferior during the last war, was the artillery; and every one must know that no proficiency was to be attained in such an arm but by long training. It was a favourite doctrine of the hon. Member for the West Riding, and some other Members opposite, that military men were not the best judges of how the country was to be defended, but that civilians were the best judges. This assertion lay at the base of their whole system, and must be examined; it was made last year, at Manchester meetings, and had been repeated in that House. Now, it appeared to him that, however stoutly they might contend for this position, when reduced to its true value, it came to neither more nor less than the burden of the old verse—

"Who drives fat oxen should himself be fat."

So, who pays generals must himself be a general. "I charge you," said the hon. Member for the West Riding, "that this is a question for the taxpayers to decide, not for military men. They were to decide what was the proportion of men necessary for the defence of the country." ["Hear, hear!"] If they did not see the absurdity of this, he could not help it. He said that those who spoke thus were not competent judges. If a board of general officers were to set about instructing them how to make cotton twist, the manufacturers would say they were a parcel of meddling fools; and when the manufacturers said they were the best judges of the manner in which the country was to be defended, and the number of men requisite for that purpose, he told them they were going beyond their border; they were presuming to go into matters of which they were necessarily and essentially ignorant. [" Hear, hear!"] But he had not done yet. The hon. Gentleman the Member for the West Riding, the other day taunted the House by saying, " You are the best judges; take care how you perform your duty; you are sent here for no other earthly purpose than to determine upon those economical questions." But he scarcely thought that those whose judgment upon this delicate question was most to be trusted, would pretend to be better able to deal with it than those who were called to the situation of responsible advisers of the Crown. All the various Governments of Europe had agents residing here, through whom they were well enabled to know the condition of England. Ministers told the House that they required a certain number of persons to carry on the government of the country; and surely they had the best means of knowing the truth on this point. But Gentlemen who had no means whatever of knowing or judging beyond what the newspapers afforded, said they could tell perfectly well that the views of Ministers were quite erroneous; they said to the House, "We are like the judges appointed to try a cause, we have nothing to do but to hear the cause before us, and decide." Now, the common sense of the matter, supposing they were all equally stupid, was to put their confidence in those persons who must of necessity be better informed than certain hon. Gentlemen on the other side, who prided themselves so much on their knowledge and judgment. One hon. Gentleman said, that his (Mr. H. Drummond's) noble Friend the late First Lord of the Admiralty was very vague in his evidence when examined before the Committee on the Navy Estimates—that he did not come to the point at all—because he said, the reason for fixing upon a certain number of soldiers and sailors now was not referable to the establishments of the year 1835, but to the general state of Europe; and this phrase he called a vague generality. Now he (Mr. H. Drummond) maintained that this was the only reason of a statesman, and the only reason of common sense. Of all persons in the world, those Manchester Gentlemen had given the most satisfactory proofs of their incompetence to form an opinion on the question. He believed there was no more upright man, nor one more disposed to give evidence as to what he believed to be the truth, than the hon. Member for the West Riding; and yet there was not in that House, nor in the country, a man who stood so completely convicted of his utter incompetency to give an opinion as to the general feeling of Europe, and the general state of every part of Her Majesty's dominions, as that very Gentleman, whose prophecies as to the future had been so glaringly and so thoroughly refuted by the events. Like a peaceable man as he was, he supposed the hon. Member walked into the Zoological Gardens, and saw tigers and baboons lying quietly in their dens, and therefore fancied they had forgotten their natural ferocity. So the hon. Member concluded that the human race had forgotten their martial propensities and habitudes, because they had been for a time disused; and this, he said, was above all the case of our nearest and most powerful neighbours, the French. But, unfortunately, since that time there had been universal suffrage established in France; the whole nation to a man had been able to express their opinion; and what had been the result? Why, they had just run mad after the ghost of a grey great coat and a little cocked hat. They had given us an intimation that the time when they were the happiest was not a time of free trade; but when they lived under the regimen of the Berlin decrees; that the time they were looking back to with the greatest delight was, when they were under an absolute military government, and that to which they were looking forward with the highest hopes and exultation was another thirty years' war.

MR. MILNER GIBSON said, that the House had been told last year that it was impossible to spare a man from the military force; but his hon. Friend the Member for the West Riding had predicted that on further investigation many men could be spared; and the project of the Government proved that his hon. Friend's prediction was a right one. His hon. Friend went further, and said that there would be more reductions in the military and naval establishment. The hon. Gentleman who spoke last had told the House that persons in the naval and military service were the only persons competent to form an opinion as to the force of the country. If he wanted to know how a regiment was to be used when brought into the field, or how a ship was to be beaten off a lee shore or handled by the enemy, then he would apply to a professional man; but he did not apply to a professional man to consider what was necessary for the safety of the country. He regarded military and naval men as public servants, and they were not to be the only parties consulted as to how many of their establishments the safety of the country required. One of the difficulties of the Executive Government was to answer the appeals of these professional persons; and if it were not for what the hon. Member called the Manchester school, but which he (Mr. Gibson) called the rising sense of the country—it would be impossible for the Executive to resist the appeals of these departments. They must take care they did not carry their expenses one farthing beyond what the real necessities of the country required. He should support the Amendment of the hon. Member for Montrose, mainly on this ground, that he thought no answer had been given as to the necessity of maintaining so large a military force in the colonies. The highest authorities had stated that the duties of soldiers in the colonies were reduced to those of mere policemen, and the colonies could find their own police. He wished the Committees had been empowered to inquire into the amount of force required, that they might be able to report to the House some intelligible reason for the number that was now kept up.

Mr. J. O'CONNELL contended that the great military force in Canada and Ireland might be reduced, if the Government were conducted in accordance with the feelings and opinions of the people; they might then dispense with three-fourths of that stationed in Ireland.

Mr. W. P. WOOD said, that he felt that on this question he had a duty to perform to his constituents, who had last year presented him with a petition, signed by 1,340 individuals, and printed by the Committee of Selection, praying for a specific relief appropriate to the matter now before the House. The first name attached to the petition was that of Mr. Caudwell, a gentleman who had had considerable experience on the subject of recruiting, and the prayer was, that the militia staff of this country, which was at present of no possible service, might be made available for the purpose of recruiting the Army. It further proposed that the recruits should be formed into special corps similar to the pensioners; that the general body should be drafted from time to time into different regiments, and in the mean time employed in the same mannner as the pensioners on garrison duty. He must admit that no debates he had ever heard in that House seemed to him so unprofitable as those on the estimates. Those debates, it seemed to him, might be generally stereotyped, for the same observations were repeated on every occasion. A certain number of Members got up on every occasion, and said they supported Government because they had the responsibility of administering the affairs of the country; and therefore must know much more about the matter than themselves, and were entitled to implicit confidence. Now, he was quite prepared to place great confidence in Government; but he found that they invariably came forward and said, that none of the responsibility was to be thrown upon them; that every vote had been made by the House, and every grant. True, they said, there has been great expense and profligate extravagance; but remember that we are not answerable for that; it was the House of Commons and the country. Those two propositions could not both be perfectly correct; and therefore he was rather inclined to think that the Government were in the right, and that it was the duty of the House to watch over the public interests in this matter as in others as well as they could. It was perfectly true, that if this were a question of how the military were to be employed, and what was the best way of defending the country on certain points if threatened with attack, the Government must be best able to decide; but certainly there were some subjects on which they were competent to form an opinion, such as those which had been placed before the House by his hon. Friends the Members for Montrose and for the West Riding of Yorkshire. They were now called upon to vote 27,000 men more than in the years 1835, 1836, and 1837, besides a large corps of pensioners, amounting to 15,000 men, which did not then exist, and a considerable increase in the constabulary of Ireland. He thought that some reason for this expenditure ought to be given, in order that the House might not afterwards be taunted with having been themselves the cause of it. They were always told that they were at peace with all the world, and wished to preserve it; but that the only way of preserving peace was to be strong in our Army; and that, if we were secure in that respect, peace was more likely to be preserved. True, it might not be wholly unnecessary to have 20,000 men more than before; but this was to be considered—were there not other matters which made us more likely to be at peace, besides the fact of being prepared for war? The sinews of war were not merely men, but money. If our finances were in such a fearful state that last year we had a deficiency of 2,000,000*l.*, and this year we were told by Her Majesty's Ministers that in spite of all the efforts made by them, we should not do more than make the revenue meet the demands upon us, he said there were grave reasons for pausing upon the consideration of this subject. Was it not to be remembered, that an attempt to increase the income tax broke down under the Chancellor of the Exchequer? Was not there peril in spending more than could possibly be spared, with a view to the contingency of a war? There was great danger in a deficit, and danger in the burden of our enormous debt. If the only two dangers to be much apprehended were revolution on the one side and foreign war on the other, he thought it worthy of notice that every revolution, from that of the Jewish kingdom down to the latest recorded in history—he believed there was not a single instance in which it was otherwise—had arisen from the people being overburdened with taxation. This was a real source of danger, to which he had been trying to look more than to the danger of a future possible invasion of the country. It was said that if Government had been extravagant, it had not been worse than the directors of many railway companies. He did not think such a comparison a very flattering one to the House, for, at the meetings attended by railway directors, they found a body of people who met to be told of a dividend of four or five per cent, who were perfectly satisfied on hearing of it, and went away without further inquiry. He believed that the comparison was apt in one respect, for the most lavish railway expenditure had been occasioned by imaginary dread of foreign invasion by other companies. He regretted most deeply that the hon. Member for West Surrey should have adverted to the probability of a French invasion, and equally regretted his allusions to what he was pleased in that House to call the Manchester school, as contrasted with the agricultural community. If there were any attempt more than another distressing in that House, met as they were to consider the general interests of the community, it was an attempt to divide the people into classes; and on a recent occasion he had felt this very deeply. A bitter and marked division of class against class would be one of the most fatal things for the interest of the country, and the most likely to bring us into a ruinous condition. Allusions had been made to the fall of the commercial States of Tyre and Venice; but might he not allude to Poland and Hungary, with their territorial aristocracy? No country could prosper that had not a commercial, manufacturing, and agricultural population acting in unison, and endeavouring to do their best for the interests of their country, feeling that they were all involved in one common cause. With respect to France, one important fact had been communicated to him by a French gentleman who had resided here for ten or eleven years in a diplomatic capacity, and afterwards filled similar high stations in other countries; he said that we were entirely mistaken in supposing that the French had an inclination for war—that the people of Paris might still retain that insane delusion, which they had so much suffered from, but the best proof that the dispositions of the French people generally were very different was, that during the reign of Louis Philippe the price of a substitute for the conscription had been doubled. Unfortunately we had gone too far in regarding France our natural enemy. Those who lived nearest to us were, he conceived, naturally our friends, neighbours, and allies. He belonged neither to the Manchester school nor to the Liverpool Finance Association; but certainly he did look forward to commerce as the means of promoting general peace throughout Europe; though he did not regard any other interest as inimical to peace; and least of all did he look upon France as our enemy. He trusted she never would be. He remembered being especially pleased with some fine lines of the most Catholic of poets—Shakspeare, which might be most appropriately quoted relation to this subject:—

> "So be there 'twixt your kingdoms such a spousal
> That never may ill office, or fell jealousy
> Thrust in between the paction of these kingdoms,
> To make divorce of their incorporate league;
> That English may as French, French Englishmen,
> Receive each other! God speak this Amen!"

MR. H. DRUMMOND must deny in the strongest terms that he had said anything as to the probability of a French invasion, or that he had drawn any contrast between the manufacturing and landed interests, because he was as fully convinced as his hon. Friend himself, of the very great evil of such contrasts.

MR. VERNON SMITH thought the present Ministry honest, and that any honest Ministry would wish an ample discussion of the estimates in that House. At the present moment this question stood on a different footing from that which it had formerly occupied. The doctrines of free trade had made a very great difference in the treatment of our colonial relations. If free trade were to be adopted as our national policy, there was no subject upon which it ought sooner to be applied than to the intercourse with our colonies. We had given up the system of exclusive markets, and had no longer the interest we once had in extending our colonial interests. If, then, we had not the interest we once had, we had no longer any motive for extending to them further military protection, with certain exceptions. Military protection must be given where there might be a prospect of aggression, and, perhaps, of war, and in anticipation of such events, garrisons and fortresses might be preserved. The question next arose what colonies we were to maintain for other purposes. To this he would answer that we were bound to maintain those colonies where we had planted British subjects, and to protect them against the aboriginal inhabitants; but no longer than they were able to protect themselves. In the North American colonies we had given responsible government. The proper name for it, he thought, would be self-government. With the concession of self-government, there ceased the necessity for our protection; and he did not shrink from saying that whenever those colonies came into collision with us, either in interest or feeling, we must look forward to the question of separation. He did not mean separation of the character of our former colonies in North America, but a separation effected amicably, and not by force. He cautioned the House, on these grounds, against laying out money in military expenses, which could be of no avail when the day of separation came. Millions had been spent upon fortifications, to which, the moment danger came, if it came from the United States, troops could not be sent in time to defend them, especially if the attack was made in winter. It was, therefore, the part of a wise Colonial Minister to look forward to this question of separation; and if he were asked whether the people of this country would think it would be justifiable to send out forces to compel those colonies to unite with us, he should reply that he thought not. The other question was where we ought to protect our colonists against aboriginal inhabitants. There were some cases where this must be done. New Zealand, for instance, where the natives were an intellectual and indomitable race could not, at present, possibly be left without some military force; but the moment there was a sufficient emigration thither, and an adequate organisation of the colonists themselves, or amalgamation with the inhabitants, he thought the military force might be withdrawn. But, in Australia, troops might entirely be dispensed with. There, the aborigines, originally feeble, were almost extinguished. Where convicts were sent, there must be a force kept. He intreated the Government, however, to pause before they sent convicts to such a colony as the Cape of Good Hope without consideration. Emigrants would not go out with them; this was a natural and, in some respects, a virtuous feeling. With regard to the subject of expenditure for the colonies, something must be done; but he regretted to see that no great attention was paid to it. All the House knew of colonial wars and colonial expenditure was when the Minister came down, as the Chancellor of the Exchequer did last year, asking for a vote of 1,100,000*l.* for the expenses of a war of which scarcely anybody had ever heard. When the papers on the subject were produced, he believed it would be found that a more lavish expenditure had never taken place anywhere at any time than in the Kafir war. And what had we gained by it? Certainly a wide extent of territory, and we had enlarged our frontier; but we should find it would have to be retained by large future outlay. Again, as to the colony of Natal, was the House aware of what was said about it in the papers of last Session? All the governors, including Sir P. Maitland, and Sir H. Pottinger, as well as Lord Grey, had said it would be attended with great expense —and the whole correspondence relative to it was one series of doubts respecting it; and yet it ended in retaining the doubtful benefit of this possession. He only referred to this case to show how these subjects were neglected by that House. Only last year, a strip of land—the Island of Labuan —was taken, and how was that effected? A most intelligent and enterprising gentleman, Sir James Brooke, went there—and published his travels. They were read and admired; and the consequence was, that an outcry was raised against the Colonial Office to take possession of this land. Sir James Brooke was accordingly sent there, and, for that purpose, a vote of 12,000*l.* was passed unobserved through the House. If the House believed, now that we were at Labuan, that no attempt would be made to take possession of the continent of Borneo, they were quite mistaken. There would be some quarrel or collision with the natives—and, by and by, we should extend our territory there. For this system of colonial mismanagement there were only two cures. One was, to force upon the colonial governments the duty of protecting themselves, and the other for that House to keep a watchful eye over the expenditure. The first of these would require sufficient notice to be given to the colonies; and until this had been done he should be sorry if his hon. Friend took a division upon the present occasion to force upon the Government to make these reductions. When this had been done, then let the House take up the whole question. Let one Member take up the cause of each particular colony, and insist upon its being heard. There would, under such circumstances, be nothing derogatory to the Crown in proposing that Her Majesty's Ministers should advise Her Majesty when it was meant to extend the colonies, to inform the House that an estimate had first been made of the cost. One great cause of the cost of the Kafir war had been the absence of estimates. He had thus endeavoured to point out in what respect reductions could be made; and he pressed their consideration upon Her Majesty's Ministers.

MR. RICE agreed with much that had fallen from the hon. Member for Montrose upon the subject of economy; but, in this instance, he had put the cart before the horse. He believed it was the tendency of Her Majesty's Government to grant self-government to the colonies; but the House must decide that great question before calling upon them to reduce the number of men employed in the Army. At the present moment, and under existing circumstances, reduction, he considered, was impracticable. With regard to the proposed reductions in the Navy, it had been shown that they could only be effected by withdrawing the squadron from the coast of Africa. That, however, was a great question, which was now under inquiry, and when the time came he should be disposed to vote against the continuance of that squadron; but, certainly, he should not vote for the reduction of a single man whilst the Government, under existing treaties, were bound to maintain that squadron. These two great questions must first be considered before reductions could be effected; but he believed Her Majesty's Government were going in that direction as fast as they could.

CAPTAIN BOLDERO said, the right hon. Gentleman the Member for Northampton had based most of his arguments for reduction upon the colonial part of the question. But did the actual state of our colonies admit of reduction? Could it be said that Ceylon could be kept without troops? Could the West Indies in their present discontented state be kept without troops? And if we were to believe the accounts of what were passing in Canada, how was it possible our colonists there could be safe without troops? He need not remind the House of what had recently occurred at the Cape of Good Hope. Whence had the necessity for the protection of troops arisen? From a system of mal-government in all our colonies. If the system was changed, he admitted a large body of troops might be withdrawn from some colonies; but there were others where it was necessary to maintain a large force constantly. Gibraltar was one. [Mr. HAWES: That is a military station.] But it was colonial duty. So was that at Malta and the Ionian Islands. Possession of those islands was given to us by the Greeks, upon the understanding that we were to render them military protection; to withdraw our forces thence would, consequently, be a breach of faith. Now, if the Amendment of the hon. Member for Montrose was carried, what would be the result? A scale was laid down for the employment of the troops upon colonial services; and it so happened that two-thirds of the infantry regiments were discharging colonial duty. A large body of troops was constantly employed in the East Indies. [Mr. HAWES: But we do not pay them.] He knew that; and he only referred to it as bearing upon the question of colonial duty, which pressed upon the troops in an unwarrantable degree. He knew a regiment that had been twenty-three years in the East Indies, afterwards thirteen years in the Cape and Mauritius, then nine years in England; and it was now under orders for the East Indies, where it would probably remain fifteen years, thus making a period of between 50 and 60 years' service abroad. Now, if the forces were reduced, so long as the present duties remained, the necessary reliefs could not be made, and the regulations of the service would be broken. The troops, however, were not discontented. They would willingly go abroad into any part of the world for seven or fifteen years; but if the reductions were carried so far as to prevent their relief at the proper time, the natural consequence must be dissatisfaction.

Sir W. MOLESWORTH wished to state briefly his reasons for the vote he was about to give. His hon. Friend the Member for Montrose proposed to make a reduction of 14,000 men in the force of the Army, exclusive of that in India, and to return to the establishment of 1835. Could this reduction be made without detriment to the interests of the empire? Was the number of soldiers excessive either at home or abroad? At home the military force amounted to about 61,000 men, or about 11,500 men more than in 1835. Was this force too great? When he remembered the events of last year in Ireland—when he considered that reliefs and reinforcements must be provided for 28,000 British troops in India, and that the places of those brave soldiers must be filled up who were led on to unnecessary slaughter by rash and incompetent generals—when he considered that reliefs were likewise to be provided for 32,000 British troops in the colonies; that the services of those troops were of the most arduous and disagreeable kind: for instance, bush-fighting and driving cattle at the Cape, guarding convicts in Australia, and combating with savages in New Zealand—when he considered that some of those troops were stationed amidst the snows of Canada, others broiling in the tropics—he acknowledged it would be cruel and unjust to compel them to pass the greater portion of their lives in such inglorious services. He therefore could not at present vote for any reduction in the force of the army at home which would lead to a prolongation of the period of military services in the colonies. He should, however, vote for a reduction of the military force in the colonies, on the grounds that if the colonies were properly governed, half the present military force in them would be sufficient. At present the force in the colonies consisted of about 32,000 British troops, and 10,000 men of coloured corps, making in all 42,000 men, exclusive of artillery and engineers, or about 2,500 men more than in 1835. These troops, including artillery, &c., must cost this country about 2,500,000*l*. a year. He should first propose to the House to make a considerable reduction in the force in the military stations, which amounted to about 22,000 men. He should begin with withdrawing the troops from the Ionian islands. Great Britain was not bound, either by treaties with the great Powers of Europe, or by convention with the Ionian States, to keep any specific number of troops in those islands. But he considered that the Ionian States were bound by convention to pay all the expenses of the British troops, not exceeding 3,000 men, which had been about the average number of troops in those islands. It would, however, have been impossible for them to fulfil this agreement. It would have required a sum larger than their whole revenue. Therefore from time to time fresh agreements had been made with them for smaller and smaller contributions on account of military protection. Those agreements they had never been able to fulfil for any considerable period of time; at present they must be indebted to this country in a sum of about 200,000*l*. It was but fair, however, to mention that they had paid since Great Britain became their recognised protector in 1816, about 800,000*l*. on account of military protection—a sum enormous in proportion to the population of the Ionian Islands, which did not exceed 225,000; enormous in proportion to the revenue, which amounted to about 150,000*l*. In addition to that 800,000*l*., Great Britain had expended since 1816 at least 4,000,000*l*. on those islands, to which our export trade did not exceed 95,000*l*. a year on the average of the last twenty years. Now, 4,000,000*l*. were from ten to twenty times what it would cost to send from the country a force to conquer those islands equal to that which originally conquered them in 1809. Therefore, if instead of spending 120,000*l*. a year on the Ionian Islands, that sum of money had annually been laid by, and permitted to accumulate, by this time the accumulations would have been sufficient to pay the expenses of conquering the Ionian Islands twenty times over, if it were necessary to do so. Now, the best mode for a nation to put by money was to leave it to fructify in the pockets of the people, by reducing taxation, Therefore, he proposed to withdraw the troops from the Ionian Islands, and to exempt the States from any contribution on account of military protection; for so doing they would bless this House, and by so doing this House might reduce three thousand men. Next he proposed a reduction in the military force at the Cape of Good Hope. The year before last that force consisted of nine regiments; last year it consisted of six regiments; in all 5,000 men, including a colonial corps, but exclusive of artillery and engineers. He doubted whether such a force, including artillery, &c., could be maintained at the Cape for less than half a million a year. He acknowledged at once that if the British empire in South Africa was to be maintained according to the boundaries fixed by Sir Harry Smith, and the frontier was to be protected from the incursions of savages, twice 5,000 men, and an annual expenditure of a million, would in all probability be ultimately required. Did the House know the extent of the British dominions in South Africa, according to the last proclamation of Sir H. Smith? It contained nearly 300,000 square miles. Half as large again as France—equal to the whole of the Austrian empire. Its northern boundary was 1,500 miles long—as far as from here to Naples. On that boundary dwelt the fiercest savages on the face of the earth—the Zooloos, negroes with a large admixture of Caucasian blood, every ready to send forth swarms of cattle stealers; whence all South African wars. Within the boundary were arid deserts and impracticable ravines, rendering military expeditions always difficult and expensive, and at some seasons of the year totally impracticable. The more fertile portions of the country were inhabited either by rebel boers, hating British authority, and anxious to throw off British dominion, or by bushmen and bandit tribes wilder than the wild beasts. And, lastly, imbedded in the British possessions were the Caffres, with whom an open or concealed warfare was always raging—who were not yet conquered, though 2,000,000 had been spent in the attempt, but who must be conquered at whatever cost, if the present boundaries of the British empire in South Africa were to be maintained. He proposed, therefore, to withdraw the troops, to let the boers take care of themselves—to let the colonists manage their own affairs—and merely to keep a garrison of 1,000 men at Cape Town. And he warned the House that if they did not follow this advice, they would have in addition to an ordinary military expenditure of half a million a year to vote every few years a few millions for Caffre and Zooloo wars. The reduction, therefore, which he should propose to make in the military force of this colony would amount to 4,000 men. Next, with regard to Ceylon; the military force in that colony amounted to 4,000 men, including colonial corps; a portion of the expense of that force had been defrayed by the colony—a burden they were anxious to transfer to the imperial treasury. Without doubt, if that colony continued to be administered as it had been by the Colonial Office, 4,000 troops were not too many to keep down the natives, and this country must make up its mind to pay the whole expense of those troops. Now, he must reluctantly acknowledge that after the signal failure of so enlightened and distinguishd a statesman as the noble Earl the present Secretary of State for the Colonies, there could be no hope that Ceylon could ever be well governed by the Colonial Office. He therefore proposed to transfer it, and the payment of the troops, to the East India Company; and by so doing he would give the means of reducing the vote before the House by another 4,000 men. Thus, by withdrawing 3,000 men from the Ionian Islands, and 4,000 men from the Cape of Good Hope, and by transferring Ceylon to the East India Company, he would effect a reduction of 11,000 men in the force of the military stations alone. With regard to the troops in the commercial colonies, he agreed with his hon. Friend the Member for Montrose in asking where was the use of keeping 9,000 men in the North American Colonies, of whom 6,000 were in the Canadas? These troops cost the country nearly 700,000*l*. a year. Now, since the Canadas had obtained responsible government, they were virtually independent. It seemed to him as absurd to pay for troops in the virtually independent colony of the Canadas, as it would be to pay for the military establishments in the independent colony of the United States. The fewer troops that were kept in the North American Colonies the better, in his opinion. He should, however, for the present, propose to keep garrisons at Quebec and Halifax, and would, therefore, merely propose a reduction of 5,000 men in the military force of the North American Colonies. Of the West Indies, which contained 6,000 troops, he should say nothing at present. He had proposed last year to reduce the force in those colonies to 3,000 men, and he had seen no reason to change his opinion on that subject. Lastly, in Australia and New Zealand there were 5,000 troops. In Australia there was no need of troops, except on account of convicts. There was, literally, no one to fight with—the natives were few in number, and of the most insignificant character. All that the colonists wanted was labour and free institutions, and they would soon become mighty States, costing nothing to this country, and carrying on with it an enormous trade. It might be true that in consequence of Colonial Office mismanagement troops might for some time longer be required in New Zealand; and for this reason chiefly he should propose to leave 3,000 men in the Australian colonies. Thus he believed that without any detriment to the interests of the empire, the force in the colonies might be reduced from 42,000 men to less than 22,000 men, with a saving to the empire in military expenditure alone of above a million sterling a year. If this reduction were made in the forces on foreign stations, then as the number of troops to be relieved would be much diminished, the question might be entertained of reducing the military force at home. He would not trouble the House with inquiring at present to what extent that force might then be reduced; but he would conclude with saying that for the reasons which he had stated, he should cordially vote for the Amendment of his hon. Friend the Member for Montrose.

Mr. SHARMAN CRAWFORD intended to vote for the Amendment of the hon. Member for Montrose because he believed that the maintenance of so large a force as 52,000 men in Great Britain and Ireland was inconsistent with a free constitution. If the people were justly governed, it would not be necessary to maintain such a standing army to keep them in subjection. It must be misgovernment and mismanagement which caused Ireland to be covered with troops to preserve the peace. He besought the hon. Member for Montrose, and those other hon. Members who were anxious for retrenchment in the public expenditure, to consider well, and to endeavour to remove, the causes that had led to that unhappy state of things in Ireland which required the presence of so many thousands of armed men. He would tell those hon. Gentlemen that if England was determined to maintain the coercive system as regarded Ireland—if they were determined to impose upon Ireland that unjust burden proposed by the Government (the rate in aid), 25,000 men would not be adequate to maintain peace in Ireland. He knew what were the real feelings of the people of the north of Ireland with regard to that proposition; and he could assure the Government and the House that the proposed tax could not be levied except with the aid of a military force. If they were determined to force that measure upon Ireland, their military force there must be instantly increased. He should, therefore, support the Amendment of his hon. Friend.

Mr. COBDEN: Sir, I have been delighted to hear the tendency of the remarks which have been advanced to-night in this House. I have been quite gratified at the constant allusions which have been made by one speaker after another to our colonies, for that is the point on which the question of retrenchment turns. I concur fully in all that has been said by my Friend the hon. Baronet the Member for Southwark, and by the right hon. Gentleman the Member for Northampton. I shall not therefore repeat their arguments, for I could not hope to do so in equally forcible terms. But the right hon. Gentleman the Secretary at War has alluded to a remark I made on a former occasion as to the number of troops employed in Canada. What I said was, that the number of troops employed in that country previous to the breaking out of the rebellion was only 4,000 men; and that since the rebellion was suppressed, the force which had been added on that ground (as in all similar cases when the cause for the increase has ceased) has not been reduced, and now I find the force maintained there is double what it was previous to the rebellion. That is an additional argument to prove that in the cases when we augment our establishments from any cause, whether by sea or land, we never find that we afterwards go back again to what they were before the occasion for the increase arose. But we are told to-night that this amount of troops is required in reference to our domestic condition at home; and I have heard with great regret the remarks of the right hon. Gentleman the Secretary at War, as to the necessity of keeping up troops in this country for the purpose of preserving internal order. The purpose for which we keep up a standing Army at home in time of peace was never before unveiled in this House. Up to this time I believe it has always been denied that the object was to keep down the people. Now, Sir, I look upon that as an alarming state of things, when we are told by a responsible Member of the Government in this House that Englishmen, who have always hitherto been considered as peculiarly fitted for self-government, whether here, in America, or in the colonies, and who have always claimed the privilege of being governed by the civil and not by the military power—I say it is a most alarming circumstance if now, in 1849, we require, as the right hon. Gentleman says, to maintain a large military force in this country in order to keep the people in order, and preserve the peace. [Mr. F. MAULE: I did not say it was for such a purpose.] Well, the right hon. Gentleman said it was for the purpose of keeping peace at home. [Mr. F. MAULE: It was to the manufacturing towns we were besought to send troops.] I do freely admit that troops were desired and sent to manufacturing towns; but I think that there was something faulty in the system which called for this periodical enforcement of the law. It behoves those who are responsible for the Government to devise means for bringing the mass of the working classes, whether in the agricultural or manufacturing towns, into harmony with the middle classes, and by introducing a large proportion of the working people within the pale of the constitution to remove the cause of that discontent which renders the employment of troops for such a purpose necessary. But admitting there exists a necessity for employing the troops in preventing breaches of the peace, we know that the same amount of force is now much more efficient than it formerly was, in consequence of the railways which we now have to all parts of the kingdom. Since 1835, all the great lines of railway communication have been completed. A great authority on such matters, General Gordon, who gave evidence before a Committee on railroads in 1845, said that a battalion of 1,000 troops might be despatched in nine hours by railway from London to Manchester; whereas before the railway was made, it would take seventeen days; and that while in the one case they arrive as fresh as when they started, in the other they would come in exhausted and fatigued with a seventeen days' march. Then, if I admitted the necessity, which I do not, of repressing the people by armed force, I say the railroads have given such additional force to your military power, that you are in a condition to diminish the number employed considerably, and still have a sufficient force available at any moment at any spot at which it may be required. But I contend that the peace of the country can be effectually maintained in large towns as well as small by means of the civil power only, if the Government would take means for giving to the command of the mayor of each town an organised body, not of militia or national guards, but of special constables. If the mayor of a large town like this or Manchester knew that he had always on his roll 10,000 or 20,000 housekeepers, with constables' staves at home in their houses, who might be called upon to act in any emergency, I say the peace might always be maintained against all malcontents without military aid. How is it in American towns? You have in many of them as large a population as you have in the towns in this country. New York is larger than Liverpool, yet you have there neither a soldier nor a barrack of any sort. They have in New York conflicting interests, opposing classes, and a constant influx of foreigners, as they have in Liverpool; they have an ever-varying population, including emigrants from Germany and from Ireland, as much so as we have in any town in England, yet the peace is preserved there; and I say, what Englishmen can do in New York they can do here, and that there is no necessity for a military force to maintain the peace of the country if the people are fairly represented and properly governed. The hon. Gentleman the Member for West Surrey has made some remarks which I should not have thought it necessary to refer to, if it had not been for the epithet he used in speaking of the French people—an epithet which I fear may not be so well understood in France as it is in this House. The hon. Gentleman spoke of the French people as tigers and monkeys, and compared them to the wild animals caged in the Zoological Gardens. The people of France, in reading that speech, may not be aware, perhaps, that the hon. Gentleman is a sort of privileged person here, and so fitful and changeable in his ideas, that if they watch him closely they may find him next week describing them as doves and lambs. The right hon. Gentleman the Secretary at

War has referred to the state of things on the Continent as a reason why we should be prepared with a large standing Army to repel any attack that may be made on us. I will admit, if he pleases, that the French people may be about to fight with some other people on the Continent; but that is not a question as to us. What we have to ask ourselves is, is anybody going to fight with us? Is there the slightest symptom at present that any combination of circumstances will arise to require us to go to war, or that anybody is coming to attack us? Well, Sir, that being our condition —having no enemy that we know of about to fight with us—having nobody to dread —I can see no necessity for keeping up a larger military establishment than that which was the average force of the years 1835 and 1836. Therefore I shall have great pleasure in supporting the Amendment of my hon. Friend the Member for Montrose.

Lord J. RUSSELL: Sir, the hon. Gentleman who has just sat down has referred to two points: the first, as to the force maintained in Canada; the second, as to that kept up in this country. With regard to the Canadian force, I admit that it may be now nearly twice as great as that maintained in that colony previous to the breaking out of the rebellion; but when that rebellion broke out, the smallness of the force there was a matter of much alarm and anxiety to the Government. It is true that that force acted with great intrepidity, and the rebels, not being well organised, did not make such a resistance as might have been expected, and by the skill of the commander and the bravery of the troops under him, the insurrection was happily put down; but I cannot think that we were not in some degree to blame for having so small a force there at the time; and I should be sorry, therefore, well-disposed as the province now is, to see any very great diminution of the force now maintained there. With regard to the colonies generally, no doubt in some of them reductions in the military force may be made from time to time, and in some the force is now less than than it was in 1835. But the next point on which the hon. Gentleman has touched, stands more in need of explanation. He has objected to the system of keeping up troops for the purpose of keeping down the people, and says that it is now for the first time avowed by my right hon. Friend the Secretary at War, that this is the object of maintaining a force in this country. I heard what my right hon. Friend said, but certainly I heard nothing fall from him which could fairly bear such an interpretation. My right hon. Friend stated, and stated most truly, that during the past year there were many places—the greater part of them being manufacturing and commercial towns —from which demands were made, not by the military authorities, but by the civil and municipal authorities, for troops to preserve order. But were those troops employed to keep down the people? By no means. They were employed to keep down a certain number of ill-disposed, ill-affected persons who wished to create disorder—who wished to promote tumult—in order that they might obtain facilities for plunder. And it would be a libel and a calumny to confound them with the people. The hon. Gentleman asks, why should not the municipal authorities in the large towns appoint special constables to keep the peace? Why, Sir, they are at full liberty—not only are they at full liberty, but they are invited—to swear in special constables if there exist any apprehension of tumult. But it is after they have sworn them in that they generally make application for the military, in order to aid the special constables. In fact, the state of society has changed from the time when every man was ready to arm to go out into the streets for the purpose of keeping the peace of the town. The great mass of the people in our towns are accustomed to peaceful occupations, industrious habits and trades. You, therefore, look to other forces to enable the peace of those towns to be preserved; and if you refused them all military assistance, and that they were to be harassed night after night, and week after week, in doing the duty of special constables, you would have great discontent manifested against the civil government for not having given them assistance; and in fact, therefore, when you call out the troops in this country, it is not to keep down the people, but it is to defend the majority against the minority. It is to defend the great mass of the well-affected and peaceable people, but certainly a people not well accustomed to arm themselves for military duties—it is to defend them against a small number of the turbulent, very often persons hardly connected with the town, very often a number of young boys, but who, if there were not some assistance given to preserve order, would be not only very mischievous, but would commit serious injury. I thought it necessary to defend my right hon. Friend and the Government, and indeed, the general government of this country from the charge of sustaining a military force to keep down the people. Nothing can be more unfounded; and I really wonder that the hon. Gentleman the Member for the West Riding, who knows this country so well, and understands the feelings of the people so intimately, should have lent his authority to a sentiment which, if generally accredited, would do nothing but mischief in the land. Now, I heard my hon. Friend the Member for Southwark point to many cases—the case of the Ionian Islands was one—where he said the force might be greatly diminished. Well, now, with regard to some of the troops in those places, they may be in certain instances, as I have said, too great; and I have no doubt my right hon. Friend the Secretary at War would be willing to diminish them where it is practicable to do so. But the hon. Baronet the Member for Southwark has quite a different object in view to that of the Government. We are in possession of a great empire. The hon. Baronet has shown the way in which it could be diminished. If you pursue the course of policy indicated by the hon. Baronet the Member for Southwark, instead of the 89,000 troops as proposed by the hon. Member for Montrose, you may reduce them to 49,000 or 37,000, or any number you please. Our object is to maintain the empire we have inherited. If you say your object is to diminish the empire—to make it less and less, somewhat less this year, and somewhat less next year, until at last we are reduced to our own island, then indeed you may go on with the hon. Baronet's experiment as rapidly as you please. My opinion is, it will turn out to be a costly experiment, and that, if you give signs of shrinking, if you had no enemy before, you would soon find you had enemies who would demand from you something which you could not in honour grant, and that, instead of your present estimates, your estimates then would be vastly increased.

Mr. HUME submitted that the noble Lord entirely misunderstood what had fallen from the hon. Baronet the Member for Southwark. The object of his hon. Friend was to increase the greatness of the empire, by allowing the colonies to govern themselves, and not ruin the mother country by causing a constant drain upon her resources. Let the colonists be our friends, and not our slaves; and let them be united to us, enjoying our rights and privileges, without creating a perpetual expenditure upon our parts.

The Committee divided:—Ayes 40; Noes 182: Majority 142.

List of the Noes.

Blewitt, R. J.
Brotherton, J.
Clifford, H. M.
Crawford, W. S.
Duncan, G.
Ellis, J.
Ewart, W.
Fagan, W.
Fergus, J.
Fordyce, A. D.
Fox, W. J.
Gibson, rt. hon. T. M.
Greene, J.
Grenfell, C. P.
Harris, R.
Hastie, A.
Henry, A.
Heyworth, L.
Humphery, Ald.
Kershaw, J.
King, hon. P. J. L.
Locke, J.
Lushington, C.
Marshall, J. G.
Molesworth, Sir W.
Mowatt, F.
O'Connell, J.
Pearson, C.
Pechell, Capt.
Pilkington, J.
Smith, J. B.
Strickland, Sir G.
Sullivan, M.
Tancred, H. W.
Thompson, Col.
Thornely, T.
Walmsley, Sir J.
Willcox, B. M.
Williams, J.
Wood, W. P.

TELLERS.

Hume, J.
Cobden, R.

List of the Noes.

Abdy, T. N.
Acland, Sir T. D.
Adair, R. A. S.
Alexander, N.
Anson, hon. Col.
Archdall, Capt. M.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagshaw, J.
Baines, M. T.
Baring, H. B.
Baring, rt. hn. Sir F. T.
Bellew, R. M.
Bennet, P.
Beresford, W.
Berkeley, hon. Capt.
Blackall, S. W.
Blair, S.
Boldero, H. G.
Boyle, hon. Col.
Bramston, T. W.
Broadley, H.
Brockman, E. D.
Bunbury, E. H.
Callaghan, D.
Campbell, hon. W. F.
Carter, J. B.
Cavendish, hon. G. H.
Cayley, E. S.
Charteris, hon. F.
Chichester, Lord J. L.
Christy, S.
Clerk, rt. hon. Sir G.
Cocks, T. S.
Colebrooke, Sir T. E.
Coles, H. B.
Compton, H. C.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. G.
Cubitt, W.
Dawson, hon. T. V.
Dick, Q.
Drumlanrig, Visct.
Drummond, H.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Ebrington, Visct.
Elliot, hon. J. E.
Estcourt, J. B.
Farrer, J.
Ferguson, Sir R. A.
Fitzwilliam, hon. G. W.
Forbes, W.
Forester, hon. G. C. W.
Forster, M.
Freestun, Col.
French, F.
Gordon, Adm.
Gore, W. R. O.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Gwyn, H.
Haggitt, F. R.
Hawes, B.
Hay, Lord J.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Heald, J.
Henley, J. W.
Herbert, rt. hon. S.
Hervey, Lord A.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.

Hodges, T. L.
Hollond, R.
Hood, Sir A.
Hope, Sir J.
Hornby, J.
Hotham, Lord
Howard, Lord E.
Howard, hon. C. W. G.
Howard, P. H.
Hutt, W.
Jermyn, Earl
Jervis, Sir J.
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Keppel, hon. G. T.
Kildare, Marq. of
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lewis, G. C.
Lindsay, hon. Col.
Littleton, hon. E. R.
Lockhart, W.
Lowther, H.
Mackenzie, W. F.
Mackinnon, W. A.
Macnamara, Maj.
M'Gregor, J.
Maitland, T.
Mandeville, Visct.
Martin, J.
Matheson, Col.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Miles, W.
Mitchell, T. A.
Monsell, W.
Morgan, H. K. G.
Mullings, J. R.
Norreys, Sir D. J.
O'Brien, Sir L.
O'Connell, M. J.
Ogle, S. C. H.
Paget, Lord A.
Paget, Lord C.
Packington, Sir J.
Palmerston, Visct.
Parker, J.
Peel, F.
Philips, Sir G. R.
Power, N.
Pugh, D.
Reid, Col.
Repton, G. W. J.
Ricardo, O.
Rice, E. R.
Rich, H.
Rufford, F.
Rumbold, C. E.
Rushout, Capt.
Russell, Lord J.
Russell, F. C. H.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Sibthorp, Col.
Simeon, J.
Smith, rt. hon. R. V.
Smith, J. A.
Smyth, J. G.
Somerset, Capt.
Somerville, rt. hon. Sir W.
Spooner, R.
Stansfield, W. R. C.
Stanton, W. H.
Stephenson, R.
Stuart, H.
Sutton, J. H. M.
Talbot, J. H.
Tenison, E. K.
Townley, R. G.
Townshend, Capt.
Vane, Lord H.
Verney, Sir H.
Vivian, J. H.
Vyse, R. H. R. H.
Waddington, H. S.
Walsh, Sir J. B.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Wellesley, Lord C.
Willyams, H.
Williamson, Sir H.
Wilson, J.
Wodehouse, E.
Wood, rt. hon. Sir C.
Worcester, Marq. of
Wrightson, W. B.
Wyld, J.

TELLERS.

Tufnell, H.
Hill, Lord M.

Mr. MAULE said, that for the other sums he proposed to take votes on account, as the items had been sent for the consideration of a Committee upstairs; he should, therefore, propose for the present to take half the sums on each debate. He proposed, therefore, that 1,800,000*l.* should be granted to Her Majesty, to defray the charge of Her Majesty's land forces.

Original Question put, and agreed to.

Mr. HUME said, he would not oppose this Motion, as the practice had been introduced last year. He only wanted to observe this, that the vote they had just given involved the expenditure of seven millions of money, for having voted the men they were bound in consistency to pay for them. He had entered his protest against that, he could do no more; having voted the men they must pay the money; and as he believed it would be a considerable time before the Committee made their report, he would not oppose the Motion.

Colonel DUNNE here rose, and was about to address the House, when

Mr. F. MAULE said, if the hon. and gallant Member rose to bring forward the Motion of which he had given notice, he (Mr. F. Maule) thought it would be much better to postpone it at that late hour, and to go on with the other business.

Colonel DUNNE said, if the right hon. Member would give him another opportunity of bringing forward his Motion, he had no objection to postpone it now, but he understood that was impossible.

Mr. F. MAULE understood that he would have the privilege of bringing it forward on any day of supply.

Mr. MACKENZIE said, as this was a vote on account, it was clear that it was the hon. and gallant Member's right to go on.

Colonel DUNNE said, he was afraid he would be forced to go on. The object to which he wished to call the attention of the House was, the privilege granted to the officers of the Foot Guards of holding rank in the Army superior to that of officers of corresponding regimental rank in regiments of the line, the lieutenant-colonels and majors in the Guards being colonels in the Army, and the captains, lieutenants, and ensigns lieutenant-colonels, captains, and lieutenants in the Army respectively. And further, to call the attention of the House to an inquiry whether there be anything so peculiarly onerous in the duties of the household troops as to justify the continuance of this privilege, which, by giving more rapid promotion to one branch of the service, insures, among other advantages, an undue proportion of general officers from these favoured corps, to the disadvantage of officers who serve in regiments of the line in every part of the world. This had been long complained of, and during the years he had the honour to serve in the Army, it had been productive of great injury. It was, perhaps, necessary to explain to some hon. Members that ensigns in the Guards held the same rank as lieutenants in the Navy. He meant lieutenants in the Army. This system had proved of great detriment to the officers of the line, for by means of their rapid promotion the officers of the Guards became field officers at a very early period, thus preventing the promotion of officers of much longer standing in the line. An officer in the Guards obtained brevet long before an officer in the line, although the latter might have won distinction by acts of bravery and skill. There, for instance, was Captain Harris, who belonged to the 24th Regiment, which suffered so severely in an engagement in India a short time since. He had served for forty-two years. His first action was on board a ship in the Mozambique Channel. He was subsequently engaged in the Mahratta war, his son was killed in the late Indian conflict, and yet this brave old officer had only attained the rank of captain. The hon. and gallant Member complained that Captain George, of the 22nd Infantry, who had served in Scinde, at Meanee and Hyderabad, had entered the service in 1825, but had not been promoted further than captain, whilst Colonel Torrens, who had entered the Guards in the same year, was created lieutenant colonel in 1840, although he never served abroad. A great number of general officers were promoted from the Guards, and the reason why there was not a greater number was, because they did not continue in the service. Men were promoted from the Guards into high posts in the line, without ever having had any experience in the field, or having been on foreign service. There were various other circumstances which gave the Guards an unfair pre-eminence over the regiments of the line. They were, for instance, appointed to situations about the Court. He thought the delay in obtaining rank in the Army was a great detriment to the service. An officer in the Guards was two steps in advance of an officer of the line, and the promotion in the Guards was as five to one, whereas in the Army it was only as thirty to one. In the Guards there were sixty-eight lieutenant colonels. No such proportion could be observed in the line. If such were observed, there would be 2,000 lieutenant colonels. The Guards had also advantages as regarded staff appointments and the board of clothing. Such a state of things could not be suffered to go on with justice to the service; and he trusted that the Secretary at War would allow the case to go before the Committee now sitting. He (Colonel Dunne) did not mean to impugn in the slightest degree the discipline or conduct of the Guards. There was no place and no instance in which the officers of the Guards had served that they had not acted well. But he could not admit that they were more loyal to their Queen than other officers in Her Majesty's service.

MR. F. MAULE said, he did not feel it necessary to enter at that moment at any length into the questions which the hon. and gallant Officer had brought under their notice, as those questions would necessarily fall under the consideration of the Select Committee on the Army Estimates. He was glad to find that the hon. and gallant Officer had not said a word which could wound the feelings of the officers engaged in the household troops. He was quite sure that every one would be ready to bear testimony to the services of the Guards, and to admit that their conduct had everywhere been admirable. No one, however would deny that they were a privileged corps, although it should also be remembered that they laboured under certain disadvantages. But he strongly deprecated the discussion of those matters in that House. It would be difficult to meet at the moment the facts quoted by the gallant Officer, because no one had any notice what those facts might be. He believed that facts of an opposite character might also be adduced in reply to the statements of the hon. and gallant Officer. Indeed, he knew instances within his own knowledge, in which officers exchanging into the Guards from the line had not been promoted to the rank of lieutenant colonels quite so soon as the hon. and gallant Member seemed to suppose. But the whole matter would be fully inquired into by the Select Committee; and after that Committee should have produced its report, the House would be better prepared than it could be at present to consider the merits of the question.

COLONEL LINDSAY said, he thought the right hon Gentleman the Secretary at War had disposed of the subject in a perfectly satisfactory manner. He had come down prepared to make some statements in reply to those of the hon. and gallant Member, and he believed he could show that the Guards did not interfere with promotion in the line so much as the hon. and gallant Member appeared to imagine; but after what had fallen from the right hon. Gentleman the Secretary at War he should not further discuss the subject on that occasion.

SIR H. VERNEY said, that although the Guards enjoyed advantages, they were also placed under inconveniences and disadvantages. An officer in the Guards, for instance, paid 1,200*l.* for his commission, while a commission in the line was purchased for 500*l.* He had further to observe, in reply to a statement of the hon. and gallant Member, that Viscount Hardinge had never risen to a higher rank in the Guards than the command of a company; and yet that noble Lord had proved that he had been quite equal to the responsible stations to which he had subsequently been raised.

An Hon. MEMBER (on the Ministerial side of the House) said that, as an officer of the line, he thought it right to say that he had never observed in that branch of the military service the slightest jealousy of the Guards.

The following Votes on account were then adopted:—

1,800,000*l.* Land Forces. 86,000*l.* Staff Officers. 47,000*l.* Public Departments. 8,000*l.* Royal Military College. 9,000*l.* Royal Military Asylum. 33,000*l.* Volunteer Corps. 7,000*l.* Rewards for distinguished Services. 39,000*l.* Pay of General Officers. 28,000*l.* Full Pay for Retired Officers.

A Vote of 200,000*l.* for Half Pay having been proposed,

Mr. HUME thought that the system of putting officers on half-pay ought to be discontinued as far as possible.

Mr. F. MAULE agreed with his hon. Friend upon that point; but the fact was that no officers were at present put on half-pay except officers who were on the sick list, or officers who had a claim to the privilege in consequence of their distinguished services.

Colonel SIBTHORP said, he had heard a great deal on the subject of economy from the hon. Member for Montrose; but he confessed he should like to see him take a more direct part in the matter, and he should like also to see him backed by his Manchester friends. Where were the hon. Member's Manchester friends on the present occasion? He wanted to know why the hon. Member, backed as he was by his Manchester friends, did not persevere in his declaration made the other night, that he would not vote any money until the Government had laid before the House a clear financial statement of ways and means?

Mr. HUME said, at present they were only voting part of the money; when the remaining portion came to be voted, then it would be time to attempt reductions, and he should then test the hon. and gallant Member's sincerity with reference to the support he had volunteered to give him.

The following Votes on account were then agreed to:—

200,000*l.* Half Pay and Military Allowances. 22,000*l.* Foreign Half Pay. 64,000*l.* Widows' Pensions. 48,000*l.* Compassionate List. 17,000*l.* In-Pensioners.

On the vote for 600,000*l.* towards the expense of the Out-Pensioners of Chelsea Hospital,

Mr. HUME wished to know the number of out-pensioners at this moment actually enrolled, because statements on the subject differed so materially?

Mr. F. MAULE replied that he could not give the exact number. The number actually enrolled formed but a small part of the whole number of pensioners. Those who had been enrolled were chiefly pensioners about forty-five years of age, still fit for service, and capable of performing duty. He believed the number enrolled last year was 20,000.

Mr. HUME wished to know the number in Ireland?

Mr. F. MAULE said, 5,000.

Sir H. VERNEY said, it could be proved that even within the last twelve months a superior class of men had enlisted in the Army. It would be well, therefore, to ascertain whether it was not possible to give employment to pensioners in the subordinate departments of our public offices, dockyards, &c., giving them appointments of messengers, doorkeepers, and where manual labour only was required. If a prospect were held out to young men that, after a certain number of years' service, they would have a chance of being appointed to these situations, such a prospect would afford a stronger inducement to men of a better class to enlist than anything which the present system could offer.

Mr. F. MAULE said, a great number of pensioners found employment in private service. The great exertions made by these pensioners not to get enrolled, proved the value of the situations to which they had been appointed in the offices and warehouses of private merchants and traders. With reference to the general question of holding out to pensioners hopes of acquiring situations in the public office, he could say nothing conclusive, because the situations in question could only be in departments of the public service, over which he had no control.

The remaining Votes on account were then agreed to:—

600,000*l.* Out-Pensioners.

19,000*l.* Superannuation Allowances.

123,787*l.* 6*s.* 10*d.* Excess of Naval Expenditure.

Resolutions to be reported.

NAVY ESTIMATES—VOTES IN EXCESS.

Mr. WARD rose to move the Votes in Excess for 1847-8.

Mr. HUME meant to place his protest on the Votes of the House against the system of votes in excess, and he hoped, therefore, these votes would not be brought forward at that time. He wanted to express his objection to the system, and to censure as strongly as possible what he conceived to be the misapplication of public money. It appeared to be of no avail to submit reduced estimates to the House if the system of excess votes were tolerated. In the very first vote—the arming the artisans of the dockyards—the vote was for 20,000*l.*, but the excess was 52,000*l.*; making the sum of 72,000*l.* for one year. This was the system he wanted to protest against, and he would make a Motion on the subject next Friday if the Votes were postponed.

Colonel SIBTHORP said, the noble Lord had promised to inform the House when the Navy Estimates should come on for discussion. He called upon the House not to approach the consideration of so important a subject at twelve o'clock at night, but to defer it till another day, when they might attack it like giants refreshed.

Mr. HENLEY had certainly understood, when the vote was taken on account, that a distinct pledge was given that a full opportunity would be afforded of discussing the vote, and he thought such a discussion at twelve o'clock at night was too late.

Sir F. T. BARING: The only promise given was, that no advantage should be taken. His hon. Friend the Secretary to the Admiralty had entered fully on the subject on going into supply, and the hon. Member had commented very strongly on this very vote on that occasion, and he certainly had understood that he had entirely done with the subject.

Mr. HENLEY had not so understood it. The hon. Secretary had certainly gone at some length into the subject, but he had understood that he meant to discuss it fully when the vote itself should come before them.

Mr. WARD had certainly felt himself entitled, after the full discussion which had taken place, to move for the remainder of the vote.

Mr. SIDNEY HERBERT wished to set himself right with respect to a statement he had made on the last day on which the Navy Estimates were under discussion. He had received a letter that day from Mr. Green—of the firm of Wigram and Green — in which he stated that he (Mr. Sidney Herbert) was wrong in attributing to any person the lines of his—Mr. Green's—vessels. He said he had not borrowed the lines of the *Inconstant*, nor had he ever seen the lines of that vessel. He (Mr. Sidney Herbert) made his original statement with the conviction that it was perfectly true. He made it on the authority of a naval officer of high distinction, who enjoyed the friendship of Admiral Hayes. He would take the opportunity, in making that statement, to say that Mr. Green deserved great credit for constructing vessels of such symmetry that they might be taken for men-of-war.

It was then agreed that the discussion on the question should be postponed, and a vote on account of naval excess was taken.

The Chairman reported progress. House resumed.

LARCENY ACTS AMENDMENT BILL.

On the Motion for the Second Reading of this Bill,

Major BLACKALL objected to the measure, because it affected the power of transportation for an offence which had latterly been very much upon the increase.

Sir G. GREY said, that the Bill only affected offences of simple larceny, with respect to which there had been no previous conviction. The measure was rendered necessary in consequence of the increased number of sentences of transportation in the year 1848, no less than 2,689 sentences having been passed.

After a few words from Mr. W. Miles, Mr. M. J. O'Connell, and Mr. Henley, the Bill was read a second time.

REGISTERING BIRTHS, &c., (SCOTLAND) BILL.

The LORD ADVOCATE moved the appointment of the Select Committee on the Registering Births, &c.; and Marriages Bills (Scotland).

Motion made, and Question proposed, "That the Lord Advocate be a Member of the Committee."

Mr. HUME moved the substitution of Mr. Alexander Hastie's name for that of the learned Lord.

Amendment proposed, to leave out the name of "The Lord Advocate," and insert the name of "Mr. Alexander Hastie," instead thereof.

Question put, "That the name of the Lord Advocate stand part of the Question."

The House divided:—Ayes 59; Noes 4: Majority 55.

List of the Ayes.

Acland, Sir T. D.
Anson, hon. Col.
Archdall, Capt. M.
Arundel and Surrey, Earl of
Baines, M. T.
Baring, rt. hon. Sir F. T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Bernal, R.
Blair, S.
Boyle, hon. Col.
Brotherton, J.
Christy, S.
Corry, rt. hon. H. L.
Craig, W. G.
Duncuft, J.
Dundas, Adm.
Ebrington, Visct.
Elliot, hon. J. E.
Ferguson, Sir R. A.
Freestun, Col.
Goddard, A. L.
Grey, rt. hon. Sir G.
Grey, R. W.
Hastie, A.
Hawes, B.
Hodges, T. L.
Hope, Sir J.
Howard, Lord E.
Howard, P. H.
Howard, Sir R.
Jervis, Sir J.
Keppel, hon. G. T.
Lewis, G. C.
Mackenzie, W. F.
Maitland, T.
Maule, rt. hon. F.
Morris, D.
O'Connell, M. J.
Oswald, A.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Parker, J.
Rice, E. R.
Rich, H.
Romilly, Sir J.
Sheil, rt. hon. R. L.
Smollett, A.
Somerville, rt. hn. Sir W.
Thompson, Col.
Towneley, J.
Townshend, Capt.
Vyse, R. H. R. H.
Ward, H. G.
Wilson, J.
Wilson, M.

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the Noes.

Douglas, Sir C. E.
Pilkington, J.
Sullivan, M.
Wawn, J. T.

TELLERS.
Hume, J.
Lockhart, W.

Question, "That the Lord Advocate be a Member of the Committee," put, and agreed to.

Sir George Clerk, the Earl of March, and Sir Henry Davie, were nominated other Members of the Committee.

Motion made, and Question proposed, "That Mr. Elliott be one other Member of the Committee."

Amendment proposed, to leave out the name of "Mr. Elliott," and insert the name of "Mr. Alexander Hastie," instead thereof:—Question, "That the name of Mr. Elliott stand part of the Question," put, and agreed to:—Question, "That Mr. Elliott be a Member of the Committee," put, and agreed to.

Sir David Dundas, Viscount Melgund, Mr. M'Neill, Mr. Solicitor General for Scotland, Mr. Mackenzie, Mr. Cumming Bruce, Mr. Traill, Mr. Forbes, Mr. Duncan, and Mr. Smollett, were then nominated other Members of the Committee: five to be the quorum.

The House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, March 20, 1849.

Minutes.] Petitions Presented. By the Earl of Erne, from High Wycombe and Nottingham, for Discontinuance of Grants of Money for the Temples in India.—From Lichfield, for an Increase in the Number of Bishops, and for a Change in the Mode of Appointing them.—From Honiton, for the Adoption of such Measures as shall secure to Clergymen Seceding from the Church, the full Benefits of the Acts of Toleration.—From Uxbridge Moor, for the Adoption of Measures for the Suppression of Seduction and Prostitution; also, that Article 11, Sec. 3, Cap. 2, may be expunged from the Criminal Law Consolidation Bill.—From Carlow and Dunboe, against the proposed Rate in Aid, and for the Amendment of the Poor Law (Ireland).—By Lord Brougham, from the Metropolitan and Provincial Law Association, that the further progress of the Bankrupt Law Consolidation Bill may be Postponed until after Easter.—From Bury, Lancaster, against any Measure for the Endowment of the Roman Catholic Priesthood (Ireland); also against the Present System of National Education (Ireland).—From Dublin, that Lords of Parliament will no longer claim their Privilege of Exemption from Arrest of Debt.—By the Earl of Harrowby, from several Congregations of Protestant Dissenters, against the Granting of any new Licences to Beer Shops.

BANKRUPT LAW CONSOLIDATION BILL.

Lord BROUGHAM presented a petition from the Metropolitan and Provincial Law Association, complaining that the Bill which he had introduced for the consolidation of the Bankruptcy Law was proceeding too rapidly. Now the fact was, that the Bill at present was standing still, the Bill having been referred to a Select Committee, whose report he had himself laid upon the table. The petitioners prayed either that the Bill might not be further proceeded with until after the Easter recess, or that their Lordships might take such other steps with regard to it as they might think fit. Now, the petitioners were actually praying for that which had been done by himself more than a fortnight ago. He had, himself, postponed its consideration until May next; but, in consequence of the House being so ill constructed for hearing, that, although everything which he then said was heard distinctly at the throne-end of the House, as he had ascertained by personal inquiry, nothing of it was heard at the other end of it; no notice of the course which he had recommended to be adopted with respect to the Bill was taken in the usual vehicles of public information. He had then stated that his Bill consisted of eight principal provisions in favour of the creditor, and not of the debtor, and that it had been framed in that manner to make the balance even, as it had been alleged that in the last Bill passed on the subject too great powers had been given to the debtor. He had likewise stated, that he delayed the Bill till after Easter, in order that the solicitors and others engaged in the profession of the law might have an opportunity of fully considering its details. He likewise stated—and he had used every exertion in his power to make himself heard—he had likewise stated that which was very material, viz., that the great body of merchants and traders in the metropolis had formed themselves into a committee, and had appointed a chairman, to consider how the bankrupt laws could be amended, and that they had subsequently held a great meeting upon that subject in the Egyptian-hall. Moreover, he had said that merchants and traders had been examined before the Committee appointed by their Lordships, and had been so satisfied with the improvements introduced into the present Bill, that they had unanimously withdrawn all opposition to it. *Liberaverat animam suam;* and the Law Association ought now to be satisfied, as he had made this annunciation now for the third time, and as he had requested them to appear at the bar of the House in person and hear what he said, in case the construction of the House should again render him inaudible.

House adjourned to Thursday next.

HOUSE OF COMMONS,

Tuesday, March 20, 1849.

MINUTES.] PUBLIC BILLS.—1° Attorneys and Solicitors (Ireland).

PETITIONS PRESENTED. By Captain Pechell, from John Cree, of the Parish of Ourmoigne, Dorsetshire, respecting the case of Duke William Beale.—By Mr. Horsman, from Sunderland-near-the-Sea (Durham), for a more equal Distribution of the Revenues connected with the Bishop Wearmouth Rectory.—By Mr. Stanton, from the Borough of Stroud, in favour of the Clergy Relief Bill.—By Mr. Fuller, from the Deanery of Balcombe, Diocese of Chichester, against, and by Mr. Stuart Wortley, in favour of, the Marriages Bill.—By Mr. Forbes, against the Marriages (Scotland) Bill.—By Mr. Baines, from the Borough of Kingston-upon-Hull, for a Repeal of the Duty on Attorneys' Certificates.—By Mr. Cobden, from Sheffield, for a Reduction in the Public Expenditure.—By Mr. G. Hamilton, from the Irish Branch of the United Church of England and Ireland, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Sharman Crawford, from Inhabitants of Westmeath, for an Alteration of the Law of Landlord and Tenant (Ireland).—By Lord Ashley, from the Committee of Medical Officers of Unions in England and Wales, for Reform in the Medical Profession.—By Mr. Rumbold, from Merchants, and Others, of Suthwold, against the Navigation Bill.—By General Caulfield, from the High Sheriff, and Others, of the County of Armagh, and from several other Places, against the proposed Rate in Aid (Ireland).—By Mr. Tenison, from Leitrim, for an Alteration of the Poor Law (Ireland).—By Sir Joshua Walmsley, from the Clerk to the Board of Guardians, for a Superannuation Fund for Poor Law Officers.—By Mr. Baddock, from the Parish of St. Julian, Shrewsbury, for the Suppression of Promiscuous Intercourse.—By Mr. Gladstone, from the Presbytery of Brechin, Forfarshire, against the Registering Births, &c. (Scotland) Bill; and also against the Marriage (Scotland) Bill.—By Mr. Henry, from Bury Lancashire, and from several other Places, for Referring War Disputes to Arbitration.

THE LAND TAX.

MR. WODEHOUSE begged to ask the right hon. Baronet the Chancellor of the Exchequer: "Whether it is the intention of Her Majesty's Government to introduce any measure for the purpose of remedying the present inequality of the land tax, as adverted to in the report of the Select Committee of the House of Lords (Session 1846), on the burdens affecting real property, referring to the evidence given upon this subject by Mr. Wood, the Chairman of the Board of Excise, and also by Mr. Coode, the assistant secretary to the Poor Law Board, and ending by declaring 'that it appears that the quotas in the agricultural districts are higher, in proportion to the value of property, than they are in the mining and manufacturing districts of the country;' and whether Her Majesty's Government intends to adopt the suggestion contained in the report above mentioned, in which the Committee say that, 'considering the changes occasioned by the creation of real property, as well as those taking place in the relative value of the different descriptions of real property, it is scarcely necessary for them to point out the advantage as well as justice of periodical and uniform valuation.'"

The CHANCELLOR OF THE EXCHEQUER said, it was not the intention of the Government to introduce any measure for equalising the land tax. At the time the land tax was imposed, it was a commutation for military service due from the owners of land alone. It was commuted to a fixed sum, with the power of redemption, and it would be impossible, with any degree of justice, now to attempt to equalise the tax. With regard to the hon. Gentleman's second question, he (the Chancellor of the Exchequer) perfectly agreed that it would be desirable that there should be periodical revaluations in counties, to secure a more fair and just apportionment of the burden. But this was one of those cases in which he entirely objected to the Government being called upon to interfere; and it was in the power of any county to adopt the remedy for itself. In the county where he resided—the West Riding of Yorkshire—the property had been twice revalued within the last fourteen years; and he would suggest to the hon. Gentleman that he should go down to his own county (Norfolk), at the next quarter-sessions, and endeavour to prevail upon his brother magistrates to follow the example of the West Riding of Yorkshire in this matter.

MR. WODEHOUSE begged to give notice that he would bring this subject before the attention of the House on an early day after Easter.

GOVERNMENT RETURNS.

MR. MILES wished to ask the Chancellor of the Exchequer a question relative to a statement made during the recent debate on the burdens of real property, with regard to the importation of foreign cattle. Had the right hon. Baronet made any inquiry on the subject of these returns, and were the returns such that the public could rely upon their accuracy?

The CHANCELLOR OF THE EXCHEQUER said, he had made an inquiry on the subject of these returns, but his right hon. Friend the Chairman of the Board of Excise having been out of town for the last week, it was only that day that he had been able to see him, and therefore he was not yet prepared to give the hon. Member a positive answer, or explanation, with regard to these returns. He had no doubt, however, that the returns could be safely relied upon by the public.

CAPE OF GOOD HOPE.

MR. VERNON SMITH moved—

> "For a Copy of any Report of the Commissioners of Audit to the Treasury, upon the Despatches referred to them by a Treasury Minute of the 2nd day of May, 1848, of Sir Henry Pottinger, relating to the great Irregularities which, in his Excellency's opinion, existed in the System of Paying and Maintaining the Native Levies at the Cape of Good Hope, and generally in the Public Expenditure occasioned by the Kafir War."

The CHANCELLOR OF THE EXCHEQUER said, that a report had been received on this subject, but it was only a preliminary report. Nevertheless, if the hon. Gentleman desired its production before it could be presented in connexion with the further reports that might follow it, there could be no possible objection to complying with this Motion.

Motion agreed to.

LIVING OF BISHOP WEARMOUTH.

MR. HORSMAN, on rising to bring forward his Motion respecting the living of Bishop Wearmouth, said that the petitions he had just presented from the 6,000 parishioners of that place and Sunderland, were themselves illustrative of it. They said that, as members of the Established Church, and representing a population of no less than 50,000, they were desirous of being continued in the blessings of its teaching and its community. They complained that, notwithstanding the enormous revenues of the parishes to which they belonged, the religious teaching for which those revenues were destined was withheld, and they asked the interference of that House to enable them to derive the advantage which the law intended they should. Their prayer was so simple in its object, and so just in itself, that he could not conceive there could be any hesitation on the part of the House to accede to it. The noble Lord at the head of the Government much misunderstood the object of the question which he put to him on a former occasion respecting Bishop Wearmouth. His object then was not to impugn any act, nor to call upon the House to impugn any proceeding of the patron of that parish; his object was to get from authority a confirmation of what had been stated, namely, that the patron had declared that the income was much too large for the incumbent, that it ought to be reduced, and the surplus applied to general parochial purposes. Having got that statement from authority, he felt that he had acquired Parliamentary ground for his Motion, which would only be prospective and not retrospective in its operation. It was not antagonistic but auxiliary to the patron, who had declared that there ought to be a redistribution of revenues preceded by inquiry; but that redistribution could not be carried out without the interference of Parliament. The living of Bishop Wearmouth might be said to be very wealthy. It nearly approached, if it did not exceed, 5,000*l.* a year; and the manner in which it was made up was as follows: from tithes commuted, 1,500*l.* a year; rent of glebe farm, 420*l.*: surplice fees, at least, 180*l.*; rents and wayleaves, 1,700*l.*; coal rents, 350*l.*; besides these, there was the rectory park, which, if let for building ground, for which it was well situated, had been valued at 720*l.*; making a total of 4,870*l.* He believed this to be an extremely moderate statement, and within the mark, because the coal rents were taken at an average of many years, whereas new coal grounds had been opened, which last year and the year before produced not much under 1,000*l.*, and he believed the coal rents might be taken at least at that sum, instead of 350*l.* The late rector returned his net income at 2,900*l.*, and the noble Lord stated recently his payments at 1,600*l.* for parochial purposes. But that was made upon a return eighteen years ago, since when new coal works had been opened. But he would admit that it was quite immaterial to his Motion whether the amount was as he calculated or not; he was willing to take it at 3,800*l.*, as stated in that House, and the surplus expected at 1,600*l.* It was to that surplus that his Motion was directed. There were besides the parish church four district chapelries, and, as it frequently happened with artificial as well as natural bodies, where there was too much blood at the head, the extremities were proportionately marked by coldness and poverty. There were seen in contrast the enormously wealthy beneficed clergy, and the poor half-starved curates. In the rectory was seen an exemplification of Dives, from whose sumptuous table only a few crumbs occasionally reached his poorer brethren in the hamlets. Two of the four chapelries were not legally constituted parishes, and had only very small incomes. There were also two district churches, which, when established, were understood to be maintained out of the rectorial estate; and payments were made to them out of that estate. The incumbent of St. Thomas had the charge of a population of 10,000, for which he received 200*l.* a year; the other incumbent (St. Andrew's, Deptford) had the charge of 8,000 souls, and got 150*l.* a year. The incumbent of Ryhope, with a population of 800, received 100*l.* per annum; and the incumbent of South Hylton, with a population of 4,000, 80*l.* One of these incumbents received 200*l.* a year from pew rents; the other three did not derive from pew rents and all other sources more than 100*l.* a year amongst them. The incumbent of Deptford kept a curate, in which he was assisted by the Diocesan Society. Such, therefore, was the condition of Bishop Wearmouth. The late rector of this wealthy parish received, including the income of a stall in the cathedral, probably not less than 7,000*l.* or 8,000*l.* a year; but he was non-resident, and the parish, even in the support of curates, had been aided by church societies. As might be expected, the difficulties of those of the clergy on whom the burden fell, were considerably increased by the non-residence of the rector, and by their own poverty; and the Church was rendered less efficient in its operations, in proportion as they were circumscribed in their means. This was one of the cases in which we might be thankful that there were Dissenters in the country; for, by their means, all that had been lost to the Church had not been lost to Christianity. They had come forward with so much promptitude, that three-fourths of the worshipping community of this wealthy parish were now members of Dissenting congregations. One fact alone would show the spiritual condition of the parish in this respect. There were five churches belonging to the Establishment, and no less than eighteen places of worship belonging to the Dissenters. In the five churches were 4,200 sittings; in the Dissenters' places of worship, 14,350; the former were only moderately filled, the latter densely crowded. This was one of the many exemplifications that might be given of the fact, that wherever there were large revenues ill distributed, there the Establishmnnt was the weakest, and religion in the Establishment was most apt to languish. Such was Bishop Wearmouth, with a dense population, neglected by the Church, and the inhabitants daily falling off from it. But he had stated only one half the evil. Sunderland and Bishop Wearmouth were originally one parish; they had been disunited, but still remained, for all ecclesiastical purposes, one town and one community. Sunderland, with its population of 20,000, was probably in a still worse condition than Bishop Wearmouth. Its population was of a different kind. Bishop Wearmouth might be called "the west-end;" Sunderland was composed of the poorest and most wretched inhabitants, to whom religious teaching and superintendence were most necessary. That population was the most liable to every contagious disease and fever; and at this moment cholera was most fiercely raging there, while other parts of England were comparatively exempt. In Sunderland there were three churches, all under one rector, whose income was something under 600*l.* a year; and for that population and those three churches, he had the assistance of two curates, in whose maintenance he was aided by the diocesan societies. There were, therefore, independently of the rector of Bishop Wearmouth, seven clergymen, for this population of 50,000; their average income was under 180*l.*; and of five of them, the average net income was under 90*l.* This state of things had been long felt and seriously deplored throughout the parish; but one prospect held out some distant hope of amendment. The rector was a very old man; in the course of things some change must take place before long; and as the patron of the living was also the bishop of the diocese, it was thought probable that, when that change did take place, under his paternal care, it would conduce to a very considerable improvement. Last October, the rector of Bishop Wearmouth had died; and as, though to make the opportunity still better, and the change still more blessed for the population, it happened at the same instant that there was a vacancy in the neighbouring parish of Sunderland. Both benefices, so vacant, were in the gift of the same patron, who had therefore the fullest and amplest opportunity of making any new arrangement he pleased, and thus contributing to the utmost extent to the spiritual improvement and welfare of the parishioners. Considerable sensation was created in the parish; it was felt to be a great opportunity; and, accordingly, all parties who had any influence with the Bishop, or any interest in the result, addressed him on the occasion. The noble Lord at the head of the Government had stated in the first week of the Session that he had corresponded with the Bishop; and rumour said that the Ecclesiastical Commissioners, with that scrupulous regard which they always showed for the interests of the Church, when not opposed to their own, had also given their advice to the Bishop. Memorials were addressed to him by the inhabitants both of Sunderland and Bishop Wearmouth; those memorials were before the House. They remained unanswered six weeks. These memorials were from very different parties—the vestry of Bishop Wearmouth being a self-elected body, and their proceedings being secret; while the vestry of Sunderland was elected by the ratepayers, and properly represented the inhabitants of the town. Writing to the Bishop Wearmouth vestry, and telling them the arrangements that had been made, the Bishop said—

> "I have only fixed upon Mr. Eden, the incumbent of this place, of whose sound judgment, active but well-regulated zeal, and conciliatory manners, I have had much experience, at a great sacrifice of my own feelings, and in some degree of my own wishes."

No eulogium would be passed upon Mr. Eden that he did not deserve. Appointed under circumstances which rendered him not at that time acceptable to the parishioners, he had already gained upon their respect and affections; and his ministration would probably be a great blessing. But the whole of the arrangement was certainly not satisfactory. Mr. Eden had vacated the living of Bishop Auckland, which, next to Bishop Wearmouth, was one of the richest in the diocese; the Bishop had thereupon ordained a nephew of his own, not then in holy orders, and had presented him to that living. Part of the arrangement was that the income of the new rector of Bishop Wearmouth should be limited to 2,000*l.*; the surplus to be placed in the hands of trustees, for a certain period, to be applied at a future time, for purposes and in proportions not yet stated. So far as that arrangement was legal, the parishioners had no complaint to make. They might have their own opinion on the subject, and might comment on what they could not altogether approve; they might believe that 2,000*l.* was rather excessive, and that an unnecessary contrast had been made in the course pursued towards the two rectors. The one was to have, until the month of May, the whole income accruing from the rectorial estate, to enable him to go into the rectory; the other was left in such comparative poverty that, though there was a rectory at Sunderland, he was not able to take possession of it, and had been obliged to occupy rooms in a lodging. But as far as the proceeding was legal, the parishioners bowed submissively to the law; but a portion of it was not satisfactory, and was not legal. The new rector of Bishop Wearmouth, acting no doubt from a very good intention, had got himself into a not very agreeable dilemma. There was no doubt that the proceeding on his part was simoniacal. The patron had the right to present any one whom he pleased; but with the patronage the temporalities necessarily went, and the patron had no power of interfering and keeping back a portio after the institution had taken place. In a note in Stephens's *Ecclesiastical Statutes*, it was distinctly laid down that—

> "The cure of souls of every parish or parochial district belongs to, and all its emoluments are by the original founder and endower set apart for the maintenance of the incumbent and his successors, and become vested in the existing incumbent by his institution and induction."

Hence, the Bishop might give or withhold a benefice; but giving the living, he could not withhold the temporalities. In this case a condition had been made that the rector should give up his title to a certain portion of the temporalities, and, on that condition, he had been presented. Every lawyer would say that this was a case of direct simony. There was a case exactly in point, where, the patronage being in the hands of certain parishioners, they had presented on specific conditions; the court held, that the agreement entered into for the purpose of restraining the then curate from asserting his claim to the small tithes by due course of law, and furnishing evidence against his successor, was simoniacal, and the presentation made thereon void. This was a case exactly in point. In both instances, previous to presentation, the presentee had agreed not to assert his rights to certain portions of the temporalities; and such an agreement had always been held to be simoniacal. Putting that aside, the arrangement was unsatisfactory in other respects. It was left in such a state that, if the rector died, after several years' accumulations, these might be claimed by his representatives; or his successor, when appointed, might lay claim to the temporalities, and, if the patronage were then vested in another bishop, the whole of those temporalities might be given. The patron having endeavoured to carry out a proceeding which he had no legal power to carry out, let the House institute an inquiry with the view of carrying out an arrangement which the patron himself had admitted to be desirable. There were strong reasons why Parliament should take this question into its own hands. The parishioners were anxious for it. They did not wish to express any distrust of their patron; still, if there was to be an inquiry, and a redistribution of the revenues, they should have more confidence in its being done under the authority of Parliament than under that of the patron and his present advisers. These advisers were the very same gentlemen, the self-elected body, who had gone to him and represented themselves as speaking in the name of the inhabitants, from whom their proceedings were kept secret. He had made certain inquiries of them which would have been more properly put to those responsible for the spiritual condition of the parish. If the inhabitants felt distrust as to those arrangements, they were certainly justified by past circumstances in the government of that parish. Let any one go through the length and breadth of the land, and observe the evils, abuses, and eyesores which, in different dioceses, pervaded the functions and diminished the usefulness of our ecclesiastical and parochial system, and they would find that there was not one of those evils of which there was not an exemplification, in an abridged form, in this unfortunate parish of Bishop Wearmouth, whose wealth had been the attraction of every possible abuse. There were abuses and defects which operated most injuriously upon the material agencies of our ecclesiastical system; first, the existence of these immense parishes, with enormous populations, and most deficient spiritual instruction; secondly, the immense disproportion between the labour and the payment of the clergy, and between the income of the one clergyman and another; then, the comparative isolation of the poorest and most neglected of the clergy, and the want of all countenance and sympathy for them by their diocesan. There was also the question of the abuse of patronage, which, instead of being exercised as a public trust, was too often exercised in a very different manner, so as to dishonour both the Church and the patron. Then there was the glaring and gross waste of Church property, which was going on not only unchecked, but absolutely, in some instances, encouraged by those who had authority to check it. All these evils and abuses were here congregated. The abuse of patronage, in particular, was strongly felt by the parishioners; and any one looking through the rich livings in the patronage of the Bishop of Durham, and observing how the six which had fallen vacant in the episcopacy of the present prelate had been disposed of, must be convinced that the view practically taken in his case, and taken in many others, was, that the patronage of the Church was not a public trust, to be used for a sacred purpose, but might be used to gratify the private wishes and feelings of the individual patron. The waste of church property was a still more serious matter; its extent was such that it was impossible to contemplate it without surprise and grief. In the parish of Bishop Wearmouth this abuse had been very recently practised, and 1,000*l.* a year was now received from a coal mine opened within a recent period. This being a mineral district, and the wealth of the Church there being principally mineral wealth, it was obvious that the system of spoliation there going on must be speedily arrested, or it would soon exhaust the revenues of the Church. It was so illegal that no ecclesiastical offence was visited with higher penalties. On this subject he would cite one authority, taken from what had occurred in this very diocese. In the case of "Jefferson *v.* Shute, Bishop of Durham," Chief Justice Eyre concluded his elaborate judgment with some observations, which had been commended by Lord Chancellor Eldon, and which were deserving of general attention. He said—

> "Few who know the hon. and right rev. Prelate, who have been witnesses to the munificence which he has displayed in repairing and beautifying the fabric of his church, of his castles, and his palaces, will suspect him of having intentionally wasted the possessions of the see of Durham. At the same time, it is by no means impossible that he, as well as many other Churchmen, may unwarily have slid into this heavy ecclesiastical offence, which all agree to be a cause of deprivation, and which may probably be found to be also an injury cognisable by some of the King's temporal courts."

In spite of this law, so strong and so decided, the spoliation and waste in the diocese of Durham had gone on as profusely and as notoriously as if there had been no law on the subject. From the highest dignitary to the lowest incumbent the system prevailed; it was one perpetual scramble of busy, incessant, rapacious, active digging, as it was in California itself. And who was to interfere? Certainly not the bishop of the diocese; for while a comparatively poor rector added a few hundreds to his income, thousands found their way into the episcopal coffers; and the bishop, who had been intended by Parliament to have his income reduced to 8,000*l.*, had received in one year no less than 21,000*l.* If this spoliation went on—if thieves had broken into the treasury of the Church in Durham—it was certainly not the diocesan who could be sent after them in pursuit—he was too heavily laden with the spoil to be able to move with much agility. This working out of minerals in the diocese of Durham was a matter of such serious importance that, before long, he hoped to make it the subject of a substantive Motion. When he had formerly alluded to the subject of Bishop Wearmouth, he had been met on the threshold by the noble Lord at the head of the Government, who said it was not a question at all for Parliamentary interference, and denied that the Legislature could take cognisance of it, thereby implying that the patron was invested with certain rights and privileges which, during his lifetime, he was entitled to exercise without challenge, just as any private patron might exercise any right conferred on him by the law. He entirely denied that doctrine. Between the right of a private and a public patron there was no analogy whatever. The right of a private patron was, in the eye of the law, a private right: that of a bishop was a public right. In the one case the law held it to be personal property attached to the individual, and which he might use for his own individual profit; in the other, it was attached, not to the individual, but to the office; and every administration of it was an official act, for which he was as much responsible as any other public functionary for his acts. This was at once the law, the constitution, and the practice of the country. As to the law he need go no further than what was notorious to everybody, and what was seen every day. A private patron might acquire a right by inheritance or purchase; he might alienate it, or do with it as he pleased. But a public patron not only could not alienate or sell his right, he could not exercise the smallest prospective right, not even to make the next presentation during the lifetime of the incumbent. The law itself was specific on this point. In the case he had already cited, Mr. Justice Rooke said—"I consider the bishop as having, for a certain purpose, a fee-simple in his bishopric; but he is seised for a special intent, as a public officer, and for a public trust." He then cited Sir W. Blackstone, who said—"The design of an ecclesiastical corporation is to be the furtherance of religion, and perpetuating the rights of the Church." And Sir Edward Coke said—"Masters and fellows are seised to them and their successors for ever, *in jure collegii, pro bono publico,* and to pious and charitable uses." To the same effect a great variety of authorities might be cited. The highest ecclesiastical authorities all concurred in showing not only that this principle of law was correct, but that it flowed from a source which rendered it impossible that it should be otherwise. He would only mention one, that of Hooker, who said—

> "Persons ecclesiastical are God's stewards, not only that he hath set them over his family as the ministers of ghostly food, but even for this cause also—that they are to receive and dispose of his temporal revenues, the gifts and oblations which men bring him."

And he quotes in confirmation of this view the words of Tertullian, who said—

> "Touching such goods—the law civil, following mere light of nature, defineth them to be no man's, because no man nor community of men hath right of property in them."

And again, Hooker says, in another passage—

> "For the better information of men which carry true, honest, and indifferent minds, these things we will endeavour to make clearly manifest—first, that in goods and livings of the Church none hath property but God himself; secondly, that the honour which the clergy therein hath is to be as it were God's receivers."

No one would deny, such being the law of the land, that persons in authority in the Church were vested with a public trust, proceeding from the very highest source, and held under a solemn and sacred responsibility, which those authorities insisted they could not and ought not to violate. He would briefly state what had been the practice on the subject. The last time the question was brought before Parliament was in the case of the Bishop of Peterborough, in the House of Lords. It was a much stronger case than the present, inasmuch as there was Parliamentary interference, not merely in the administration of temporalities, but with the exercise of a purely spiritual function. The Bishop of Peterborough had determined on a certain list of questions which he submitted to every candidate for ordination, and made the answers to those questions the condition of ordination. Lord Dacre presented a petition from one of those candidates, stating that he did so with a view of founding upon it an address to the Crown. The Bishop of Peterborough protested against the interference, and said there was no authority for it—that it would be a dangerous precedent, and would lead to serious embarrassment. The House did not adopt that view; Lord Harrowby, a great friend of the Church, voted for inquiry; Lord Calthorp said the conduct of the bishop ought to meet with the reprobation of the House. But the strongest denunciations were uttered by the political friends of the noble Lord. Earl Grey said that he thought the House of Lords had the power of applying a remedy, and the Marquess of Lansdowne used similar language. Not a single bishop in the House of Lords took the view of the Bishop of Peterborough. They were taunted with their silence, but not one of them ventured to vindicate the doctrine of ecclesiastical irresponsibility, of which the noble Lord unexpectedly came forward as the advocate. He dwelt more on these points, because though they did not immediately affect the Motion he was now moving, they would affect others which he should have to make ere long. He was only waiting to see what course the Government were taking with regard to those measures of ecclesiastical reform on which he had received such strong assurances from the noble Lord. He must confess he thought no great alacrity had been shown in performing those promises. He would not hastily impute blame to the noble Lord for that. He would not come prematurely to the conclusion that measures of a large and satisfactory character would not be introduced before long. There were, no doubt, obstacles in the way; but the noble Lord must have felt that these obstacles were to be apprehended, and that on the part of the episcopal bench great efforts might be made to defeat the expectations that had been held out. If that were the case, it would not be long before he tested the doctrine of episcopal irresponsibility now broached. He would invite the House to go with him from diocese to diocese, from parish to parish, and he would show them the manner in which ecclesiastical duties had been performed, the mode in which episcopal estates had been managed —in which temporalities had been administered, and patronage bestowed. The materials which he had in his possession (which, however, he did not mean to use except in the last extremity) were such as would startle both the House and the public. He would give them an opportunity of pronouncing an opinion as to the propriety of imposing responsibility and control where the want of responsibility and control had been hitherto attended with such disastrous results. But this was foreign to the present Motion. He would now only ask the House to consider the case which these petitioners presented, and the prayer which they made to the House. Their object was simple, and their prayer so moderate, that he would venture to say its rejection would lead to very serious consequences. Let them mark if the character of those districts in which these petitioners resided, as given by the Bishop of Durham himself, in a charge to his clergy on his introduction to the diocese in 1836, was correct. Every word of that charge was so admirable in its character, so truly episcopal in feeling—it showed an eye that saw so clearly, a heart that felt so warmly what was the responsibility and what the duty that devolved on him, that he would read a portion of it to the House:—

> "Perhaps," he says, "this diocese differs from most others, if not in peculiar features of country, yet in the singular and most appalling frequency with which changes of population take place in it. There is no diocese in which so many thousands are found to lie so scattered as to be thrown at a most inconvenient distance from existing places of worship; nor is there, perhaps, any diocese in which such numerous instances occur of the inhabitants so rapidly increasing, or being so suddenly created. Where a barren moor lately presented the appearance of a desert, never inhabited, and but rarely visited by man, a railroad may perhaps be formed, or a coal-pit opened out; cottages are built, and men, women, and children appear diligently employed in gaining their daily bread, but seeking in vain for that bread which sustains the vital principle even to everlasting ages. Lastly, I fear there is no diocese which presents so many instances of redundant population and scanty endowment; for it should be remembered that, in large parishes, the care of one man, however zealous and active, will not suffice. The united exertions of two or more are probably required, while the income may not afford adequate remuneration even to the laborious and conscientious incumbent. Hence it appears that in many cases a necessity exists for the erection of chapels, and providing for the due discharge of sacred duties in them. In other cases it must be apparent that schools should be built, and diligent and well-qualified masters appointed to superintend over them. In some parishes, again, however urgent may be the want of assistance to the incumbent, his income is so limited, or his family so circumstanced, that it cannot provide him with that aid of which he is so deeply sensible his parishioners, as well as himself, stand in need. . . . . I am bound to say of my predecessors, that they seem to have held their almost princely revenues as good stewards of the manifold grace of God, and freely imparted to all as all had need. . . . . And I have only to express an earnest wish that, in any future arrangements which may be made, whether in revising such as have now received the force of law, or in any other contemplated changes, all the resources which are drawn from one part of the ecclesiastical fund of the diocese, may, as much as possible, be devoted to the assistance and improvement of the others."

Having thus shown what was the condition of this diocese on the highest authority resident within it, let him show what was the condition of the population of England generally, and the character of the times which rendered great reform in the Church necessary. He held in his hand an extract from a sermon of one of the greatest ornaments which the Church had lately seen, the late Dr. Arnold. In a sermon delivered by him in 1843, he says—

> "Well, then, let us come to what we can conceive at any rate, and ask what would be our feelings, if this nation were visited with a season of great misery, with famine, and pestilence, and war. In this land, it is true, we know but little by our own experience of any of these things, for when pestilence did visit us a few years since, it was by no means in its most fearful form, and famine and war are strangers to us altogether; yet we well know that there are many living who have seen and suffered all these things. Now should it please God that we also should suffer them; that one or two more unfavourable seasons, added to a general depression of trade, should deepen difficulty into distress, and distress into actual starvation; that famine, as it is so apt to do, should breed pestilence; that our crowded population, so crowded for the narrow limits of our island, should increase all this misery by even worse misery of their own making; that discontent should become violence, and that tumults, and fires, and bloodshed, should rage from one end of the nation to the other, as they did a few years back in France—what account," he goes on ask—"could we give of the population committed to our care?"

What account, indeed, could they give, when they saw the condition of that neglected population in this wealthy parish? Truly, when they considered how the Church — and especially those who had rule and authority in that Church—had left the parish, they might feel that great responsibility rested on those who had not, as faithful stewards, turned to the best account the talent which had been intrusted to them. Let them not aggravate that responsibility, and increase the danger, by refusing the prayer of this petition. By listening to the prayer of these petitioners, this House would earn their gratitude, and would strengthen the Establishment; but, neglecting it, they would turn from this House in despair, and they would cast this reproach upon them, that, though they professed themselves favourable to ecclesiastical reform in the abstract, yet when the opportunity occurred of giving a practical proof of the sincerity of their professions, they then shrank from the test; and then these parties, finding that the Church had nothing to hope from their sympathy, and nothing to expect from their justice, would turn away, their interests neglected, their hope disappointed, and their affections alienated—and tell them that, in the treatment they had received, they had written their own condemnation, and, as far as depended on them, had pronounced their Church's doom. The hon. Gentleman concluded by moving—

> "That an humble Address be presented to Her Majesty, praying that She will be pleased to issue a Commission of Inquiry into the allegations contained in the petitions presented to this House from the parishioners of Bishop Wearmouth and Sunderland; and that the said Commissioners be directed to take into consideration the agreement stated in Parliament (on the authority of the patron of the Living of Bishop Wearmouth) to have been entered into between himself and the present Incumbent, whereby the surplus income of the Living, over and above the sum of 2,000*l.* a year reserved as the income of the Incumbent, is to be paid over to trustees; and to report on the best mode of appropriating that surplus to spiritual purposes connected with the two parishes, and of giving legal effect to such appropriation."

MR. MANGLES seconded the Motion.

LORD J. RUSSELL said: The hon. Gentleman who has just sat down has stated that, on a former occasion, I laid down the doctrine of episcopal irresponsibility. I beg to state that I laid down no such doctrine, nor any doctrine resembling it. The hon. Gentleman has quoted various passages, unnecessary, as I think, because it could not be disputed, showing that all bishops, and persons in authority in the Church, have a responsibility cast upon them—a public trust reposed in them, and that they are bound to exercise any patronage, or any power which they have, with a due regard to the benefits of the Church, and the promotion of the religion of which they are appointed the ministers. Of this there can be no doubt whatever. It is, however, a very large step to go from that doctrine of episcopal responsibility, and to say that, in each particular place where a bishop has exercised the patronage vested in him, and bestowed a living upon a particular person, with certain duties and trusts annexed to it, that in such a case the House will be called upon to interfere and give its opinion as to whether such patronage has been rightly and properly exercised or not. While I quite agree in this general statement of responsibility as stated by the hon. Member for Cockermouth, I do not think it would be convenient that the House should enter into each case of episcopal patronage which may be brought before us by any hon. Member, sometimes, perhaps, by a member of the Church of England, and sometimes by an hon. Member who is not a member of the Church, being called upon to discuss these things with an imperfect knowledge of the whole transaction. With respect to the acts of the Bishop of Durham, or any other bishop whose distribution of patronage may hereafter, encouraged by this example, be brought before the House, there could be no person present authorised or enabled to speak as to the facts of the distribution of such patronage. It did so happen in this particular case, that to my right rev. Friend the Bishop of Durham, whose friendship I am not at all ashamed to own even after all the imputations which have been cast upon him by the hon. Member, I did write a private letter on the subject of his patronage of the parish of Bishop Wearmouth, not at all in the sense in which the hon. Member for Cockermouth has referred to it, but a letter merely of a general character, trusting that he would get over the difficulties with which the distribution of the spiritual cure of so large a parish must be connected. The hon. Gentleman, in proposing this Motion for a Commission to inquire into what has been done at Bishop Wearmouth, and with a great deal of imputation against the Bishop of Durham, has not hesitated to confirm one part of the statement of the petitioners, which is to the following effect:—"That your petitioners have no complaint to make to the appointment of the present rectors of the parish of Bishop Wearmouth or Sunderland, both of whom they believe to be clergymen of exemplary character and great ministerial devotedness." The hon. Gentleman alluded in the same manner to the appointment of the rector of the parish of Bishop Wearmouth, and said that he believed his appointment would prove a great blessing to the parish. I should have thought that if complaints were to be made to this House, and if this House were to be made the court of appeal to decide with respect to the appointment of a clergyman to a particular parish, that one chief ground of inquiry would have been whether an immoral or improper person had been appointed to the rectory of the parish. Both the hon. Gentlemen who brought forward the Motion, and the petitioners, however, disavow altogether any such thing. They allege that the person appointed by the bishop was a fit and proper person to discharge the duties of the office to which he was appointed. In speaking of this question of episcopal patronage, I must protest against the doctrine, that while a bishop is bound to consider the exercise of his patronage as a public trust, to be used only for the public benefit, that other persons having the power to appoint ministers to large, or even small, parishes—having the power to appoint clergymen to the cure of souls—are not equally bound by the same consideration. I say that they neglect a most solemn duty incumbent upon them, whatever may be their right, if they use such patronage solely for the purpose of promoting their own individual benefit. But if that charge with respect to the Bishop is taken away, what then remains to be considered? What are the other charges upon which this petition and Motion are founded? I have received from my right rev. Friend the Bishop of Durham—and this is one proof of the inutility of such a proceeding as that proposed by the hon. Member — a general explanation of the grounds upon which he has proceeded in the distribution of the revenues of the parish. I know not to what extent he has carried his inquiries, what are his general views of the subject, what was the nature of the representations made to him, or in what manner he expects that the arrangement he has made will be the best adapted for promoting the benefit of the parish; and if I am thus ignorant of these subjects, having been, as I have said, for many years the friend of the Bishop of Durham, I ask how is it to be expected that in every case which may be brought forward by hon. Members who have taken pains to collect all the complaints and dissatisfactions of those who are disappointed in the distribution of patronage—how is it possible, I say, for any Minister of the Crown, or any one else, to be ready in this House to go through, in each case, all the grounds upon which each appointment has taken place, or upon which it may be defended? The other ground of complaint referred to by the hon. Gentleman is, that there is a very great population in this parish, and that the spiritual wants of that population are not sufficiently provided for in the distribution of the revenues as made by the Bishop of Durham. Now, there is a remarkable circumstance, of which the hon. Gentleman took some notice, but to which he did not give that prominence which belongs to it, although it is the very essence of the petition and of the complaint. Bishop Wearmouth is connected with the town of Sunderland, but the two parishes are totally distinct. The hon. Gentleman says that the town of Sunderland has many very miserable streets and lanes, and that a great part of its population are living in wretched houses, and are in a miserable condition with respect both to their temporal and spiritual wants. From numerous letters which I have received from persons unconnected with the Bishop of Durham, I am informed that there are persons in the town of Sunderland who are proprietors of these small houses, and that they are very profitable to the owners, yielding a very large interest for the money invested in them, but in which the poor persons who reside are miserably cared and provided for; while the want of cleanliness, and, in many cases, of the necessaries of life, frequently produce severe illness and great mortality. That is, I believe, the case with Sunderland; and it is a great misfortune that it is so. But what is the prayer of the petition presented to the House to-night? The petitioners state—

> "That the spiritual wants and present position of the town of Sunderland, including the two parishes, as well as the interests of the Established Church, require that the said surplus revenues should be immediately applied to the endowment of other churches and chapelries in the said town at large."

This is a prayer which, I apprehend, this House will not accede to, the simple facts of the case being, that here are two distinct parishes of Bishop Wearmouth and Sunderland; and the inhabitants of Sunderland say that the rectory of Bishop Wearmouth being a very rich one, we should like to have the surplus revenues of that rectory applied to the relief of our spiritual wants, and to the payment of the clergy in our town. Any poor parish in the metropolis might demand, in the same way, that the surplus revenues of any other neighbouring parish which happened to be a rich one might be applied to their spiritual wants; and those who pay the tithes of the parish which gives a rich income to the rector, would be required to hand over those tithes to the rector of a neighbouring parish. That, however, was not at present the state of the law, and if insisted upon, would lead to great injustice. Those who pay the tithes might say very justly, "If you require these tithes from us, or any portion of them, let them be given to the benefit of the Church at large. We do not see how the neighbouring parish has any claim to the revenues which belong to us, and which have been applied for a long period to the spiritual wants of our own parish." That is the prayer of the petition, and that is the subject which it would be the duty of the commission, if appointed, to inquire into. What I understand my right rev. Friend the Bishop of Durham to have done is this—there being a rector who was formerly non-resident, having an income of 3,800*l.* a year, he has appointed a rector to whom an income is assigned of 1,200*l.* a year. There is, besides, a parsonage, which is said to be worth 600*l.* a year, but which is not, in truth, of any such value; there is also a certain interest given in the different chapelries belonging to the parish; and there is, besides, a sum arising from coals and the way-leaves, which it is intended to carry forward to the account of trustees, to be applied in future for the benefit of the different localities of the parish. Now, whether or not that is a proper distribution—whether the proper sum has been given to the rector — whether the chapelries should have been immediately augmented—or whether it was proper that this sum should have been placed in the hands of trustees for the future augmentation of the chapelries—is not a subject upon which I can pronounce any opinion. All I can say is, that the different arrangements seem to have been made with a view of devoting a large proportion of the revenue of the former rector to the spiritual improvement of the parish, and the augmentation of the chapelries. The hon. Gentleman who brought forward this subject then, changing his ground, complained of the large sum given to the rector, and said, that by carrying out that agreement he had entered into a simoniacal bargain, and that the appointment was perfectly void in consequence. Now, he would submit that these were questions for the law courts to decide. [Mr. Horsman: Hear, hear!] Then, did the hon. Gentleman mean that under cover of his Motion a prosecution should be directed against the Bishop of Durham and the Rector of Bishop Wearmouth for simoniacal practices? If the inhabitants of Bishop Wearmouth were wronged by this arrangement, they might institute such proceedings as it might be expedient to take in the courts of law. I think it is much better for the House to adopt some general measure on the subject, than to go into any one individual case like the present. With respect to the whole case, therefore, declining to give any opinion with respect to whether the arrangement which has been made is the best that could possibly be made, I beg the House to observe, in the first instance, that it is confessed by the petitioners that the clergyman appointed to this benefice was a person eminently fitted, who, to use their own words, was a person "of exemplary character and great ministerial devotedness." In the next place, the House will recollect that the diminution of the income of the rector has been made with a view to the promotion of the spiritual instruction of the parish; and in the last place, what is asked by the petitioners is, not that the parish of Bishop Wearmouth should be better provided for, not that the income of that parish should be distributed within the parish, but given to the town of Sunderland. The hon. Member for Cockermouth has taken this opportunity, not being able to impugn this particular instance of patronage, of making certain imputations against the general character of the patronage of my right rev. Friend the Bishop of Durham. I can only meet that assertion by another general assertion. I believe that the Bishop of Durham has acted throughout with a due regard to that heavy and high responsibility to which he is subject as a bishop of the Established Church of this country. I knew the Bishop of Durham many years ago. I knew him as a scholar, devoted entirely to the pursuits of learning, not entering much into worldly pursuits, or taking much interest in any other concerns but those of learning and those which belonged to divinity, and the study of that which belongs to the sacred character of the duties which would devolve upon him. He was afterwards recommended to the Crown for a bishopric, and when appointed to the bishopric of Durham, out of an income of 21,000*l.*, 13,000*l.* was taken away by the Ecclesiastical Commissioners. I believe he has always acted with the greatest generosity and liberality, that he is respected in his diocese, and that he has endeavoured to dispose of his patronage in such a way as best to conduce to the spiritual interests of those committed to his charge. However that may be, I submit to the House, that he ought not to be singled out for this invidious Motion. If any Motion is to be made upon this subject, let it be of a general kind, and not of the special nature of the Motion now before the House. With respect to reforms of the Church generally, there are inquiries going on upon the subject, and the Commission appointed on the Motion of the noble Lord the Member for Bath (Lord Ashley), will also tend to still greater reforms than have hitherto taken place. Acts of Parliament have been passed from year to year, which have done away with many abuses of the Church; and I trust, that year by year we shall witness still further reforms, and that the spiritual instruction, as given by the Church, will be more efficient and more widely extended than hitherto. I shall be most happy to co-operate in all reforms of this nature; but I cannot give my assent to a Motion such as this, which is intended as against an individual, and which, if brought forward at all, ought to be brought before a court of law, if inquiries are to be made into the simoniacal character of the transaction.

ALDERMAN THOMPSON, having been connected with the town of Sunderland, could not consent to give a silent vote on this occasion. He certainly was not prepared to see the noble Lord at the head of the Government acquiesce in the Motion of the hon. Member for Cockermouth; but he certainly had expected that the noble Lord would have announced that it was the intention of the Bishop of Durham to introduce a Bill for the purpose of dealing with the temporalities of the rectory of Bishop Wearmouth.

LORD J. RUSSELL: Probably the Bishop may introduce such a Bill. All I say is, that I have had no intimation from him of any such intention.

ALDERMAN THOMPSON had certainly hoped that it would have been in the noble Lord's power to make some definite statement on the subject. With regard to the Motion itself, it did not appear to him to afford in any way an inconvenient precedent in reference to the mode in which either bishops or others dispensed their patronage. It was a matter *per se;* he knew of no analogous case. He believed that the clergyman appointed was highly deserving of the appointment, and had given universal satisfaction; but what was complained of was, that the Bishop of Durham should hypothecate half the revenues belonging to the rectory of Bishop Wearmouth, without stating the mode in which he intended to apply them. He knew well that the Rev. Mr. Grey, the late rector of Sunderland, if he had not been a person of large private fortune, would have been unable to meet the many demands that were made upon him, and he ultimately sacrificed his life in visiting the sick poor. He was succeeded by the Rev. Mr. Webb, who was appointed at the solicitation of the inhabitants of Sunderland. Now, Mr. Webb had not the same means of relieving the poor of the parish, and finding that their wants occasioned a heavy pressure upon his purse, he was glad to be relieved of the responsibility, and he understood the Bishop gave him another living. The parish of Sunderland was peculiarly circumstanced, and must not be judged of by other parishes. It was said, that the late rector of Bishop Wearmouth was non-resident. He did not think that was the fact—he was of course occasionally absent from unavoidable circumstances, but spent a very large portion of his time in Bishop Wearmouth. The noble Lord said, the living was only worth 1,200*l.* a year; but he had heard it estimated at 2,100*l.*, from which, of course, was to be deducted the stipend paid to four curates, which must have reduced it to nearly the amount stated by the noble Lord. It appeared that in the present case the two parishes joined in the prayer that there should be a better distribution of the temporalities of the two parishes. He did not think the noble Lord had exercised his usual candour in saying that Sunderland had no more right to participate in the revenues of Bishop Wearmouth than any other parish in the diocese, as they were originally united, and had some peculiarities in common. It appeared to him, that it would be much more satisfactory to the Church, if the Bishop of Durham had himself introduced a Bill to deal with the temporalities of the rectory. If the hon. Member for Cockermouth pressed his Motion to a division, he (Alderman Thompson) would feel it his duty to vote with him.

LORD J. RUSSELL explained, that with regard to introducing a Bill, he had had no communications with the Bishop of Durham on the subject. He quite agreed with the hon. Gentleman, that it would be far better to have a Bill introduced on the subject.

LORD H. VANE said, he also was of opinion that the best course would have been to introduce a Bill to secure a distribution of the revenues between the two parishes. At the same time he thought the manner in which the Motion had been brought forward was most unfair. So far from the patronage of the Bishop having been generally exercised as described, he must declare, from his knowledge of cases in which incumbencies had been granted, that nothing could be fairer than his disposal of patronage; while he had himself contributed liberally in the case of small livings, and had even employed curates at his own expense. He was himself acquainted with cases in which large portions of church property in the county of Durham—he now spoke more particularly of property belonging to the dean and chapter—had been applied to the augmentation of small livings; and he had been informed that in many instances the right rev. Prelate had himself pursued a similar line of conduct. As regarded the way-leaves, they were of so precarious a nature that it was impossible to form a permanent endowment from them; and the right rev. Prelate determined last year to set apart the proceeds as a fund for the endowment of small incumbencies, instead of attempting to form endowments for which they might prove inadequate. He hoped the House would not accede to a Motion of so invidious a character, however desirable it might be that the right rev. Prelate should himself introduce a measure.

MR. DISRAELI shared in the reluctance of the noble Lord who had just spoken to vote for any proposition of an invidious nature; but, without entering into any of the details which had been advanced either to advocate or to vindicate the Bishop of Durham, he wanted to know why the Bishop of Durham should be the person to introduce a Bill, which everybody said was the preferable course. It was quite in the power of Her Majesty's Government to introduce such a Bill; and as the noble Lord at the head of the Government had frankly expressed his opinion that such was the best course to pursue, if he would say that he was ready to bring in a Bill, he (Mr. Disraeli) would be released from a very painful position, and would be spared a vote which, under other circumstances, he should be obliged to give for the Motion. The circumstances of the case had been fairly placed before the House by the hon. Member for Westmoreland, who had shown that voting for the Motion would not establish a precedent of a perilous character. At the same time he thought that in a case of this kind, the House ought not to be called on to decide the question by a division, and therefore, as they had the authority of the First Minister of the Crown for saying that a Bill would be the course most desirable to adopt, if Her Majesty's Ministers would assure the House that an opportunity would be given to the Bishop of Durham to introduce such a measure, and that the Government would do so if he did not profit by the opportunity thus afforded him, some hon. Members would be spared the discharge of a very painful duty.

The CHANCELLOR OF THE EXCHEQUER thought that the hon. Gentleman, the Member for Buckinghamshire must see that this was not a matter in which the Government could interpose. The incumbent of Bishop Wearmouth had a clear right to the whole proceeds of that living; and if an Act were introduced by the Government, it would be an act of spoliation, and would take from him that to which he had at that moment a perfect and indefeasible right. With regard to the conduct of the Bishop of Durham, in the general administration of his diocese, nothing could be more liberal. His noble Friend the Member for South Durham had borne testimony to the munificence with which the right rev. Prelate had contributed towards the augmentation of the poorer livings in his diocese; and as one of the Ecclesiastical Commissioners, he (the Chancellor of the Exchequer) thought it right to state a circumstance which had come to his own knowledge. It might be known to the House that a certain income was assigned to the Bishop of Durham when he was appointed to his diocese; but the sources of that income produced a larger revenue than was contemplated. Of course the Bishop had a perfect right to retain the whole revenue of the see, but feeling that it was larger than was originally designed, he signified his intention to pay to the Ecclesiastical Commissioners 2,000*l.* a year for the purpose of augmenting the smaller livings in his diocese, so long as he remained Bishop of Durham. This payment, the House would observe, was totally irrespective of any augmentation which proceeded from the Bishop directly, and was payable notwithstanding any loss which the Bishop's income might suffer from the failure of other sources of revenue. The sum of 2,000*l.* had, accordingly, been paid over to the Ecclesiastical Commissioners, ever since the offer was made, and had been applied, under their direction, to the augmentation of poorer livings in the diocese. He thought it was only fair to the Bishop of Durham that this statement should be made. They were asked now to apply the proceeds of the surplus revenues of one parish to another parish; but he thought that it would be much better that any surplus should be applied generally under the direction of the Ecclesiastical Commissioners, and that the House of Commons should leave the arrangement to them, instead of expressing an opinion upon one particular case, without reference to the claims of other parishes within the same diocese.

Sir R. PEEL said, he thought the House ought not to select a particular act, and by a censure of that act, imply a want of confidence in a right rev. Prelate, who was entitled to every possible respect. He would say, for himself, that, when First Minister of the Crown, and entitled, under the Act of 1844, to certain ecclesiastical patronage, such was the confidence which he reposed in the judgment and impartiality of the right rev. Prelate who presided over that see, that he placed that patronage, so far as the see of Durham was concerned, at his disposal; and the favourable opinion which he had formed of the manner in which patronage intrusted to such hands would be bestowed, had not, in any respect, been disappointed. The most deserving curates in the diocese had been sought out, and any benefice thus placed in the hands of the Bishop of Durham had been conferred without reference to any other consideration than that of professional merit. With respect to the question on which the House was now called upon to pronounce a decision, there would be less difficulty if a general proposition were before them. But if, according to the proposition of the hon. Member for Cockermouth, they were to deal with a single case, they would be gradually so involved, with respect to other cases, as to occasion no inconsiderable degree of embarrassment. If they agreed to the present Motion, it would not be long before some other great living would be found, requiring the House of Commons to adopt in its case some such special arrangement as that proposed by the hon. Member for Cockermouth. At the same time that he thought it right to make these observations with regard to the difficulty of intervention in individual cases; and while he objected to the particular Motion made by the hon. Gentleman, on the ground of its implying a want of confidence in a Prelate of the advanced age and the eminent attainments, both as a scholar and a divine, which distinguished the Bishop of Durham; he felt bound to express his concurrence in the main object which the Member for Cockermouth had in view. There were two questions in the present case; one of them arose out of the disproportioned revenue of two adjoining parishes. He thought it would be an excellent example if the Church were to require authority to make a fresh distribution of those revenues by Act of Parliament. Many laymen had taken a similar course, and had asked for power to make a new appropriation of valuable ecclesiastical patronage, for the sole purpose of promoting the spiritual welfare of the localities which it immediately concerned. He thought it would be most seemly if the Church were to follow the same course, and require a similar authority under similar circumstances. He could not concur with those who thought that in this case the parish of Sunderland had no higher claim upon the revenues of the parish of Bishop Wearmouth than any other parish. It should be recollected how much Bishop Wearmouth was affected by its proximity to the large and poor population of the port of Sunderland; above all, it was not to be forgotten that, at the time when the revenues in question received their present appropriation, the two parishes were a united parish. He, therefore, considered it impossible to contend that Sunderland had no greater claim on any surplus there might be after amply providing for the spiritual wants of Bishop Wearmouth, than a parish in a distant part of England. He did not think it necessary then to call on the noble Lord at the head of the Government to make any declaration about bringing in a Bill—he thought it would be more prudent in him to avoid making any such declaration; but if the noble Lord succeeded in negativing the present resolution, he might surely enter into a friendly communication with the right rev. Prelate on this subject. Such communication might enable the noble Lord, with the willing concurrence of the Bishop of Durham, to set a useful example, on the part of the Church, and by a well-considered scheme for a new distribution of this parochial revenue, to consult the spiritual interests of a great mass of the population which possessed an additional claim upon the attention of the Legislature, inasmuch as they had hitherto been grievously neglected.

Mr. MANGLES heartily wished he could get some admission from the noble Lord at the head of the Government as to the course they meant to adopt. He was extremely anxious that it should be stated that if the Bishop did not come to some arrangement the Government would take the matter into their own hands. He must be permitted to say he did not think that the noble Lord had done his hon. Friend the Member for Cockermouth justice. He thought that the speech of the noble Lord was more like an attack upon the motives and conduct of his hon. Friend, than a fair meeting of the statements made in regard to church abuses. His hon. Friend, actuated by the highest and most Christian public spirit, had brought forward this Motion with the view as he (Mr. Mangles) believed, of strengthening the Establishment—although for doing so he had been attacked as an enemy of the Establishment, he believed that his hon. Friend was the sincere friend and supporter of the Church of England; and if the measures which he advocated had been adopted, he was of opinion that the interests of the Church would have been strengthened. His hon. Friend had never charged the Bishop of Durham with simoniacal practices, but he said that in point of law he might be open to such a charge, although he believed his motives were of the purest character. He would reurge upon the noble Lord the propriety of adopting such a course as would have the effect of relieving the sincere members of the Church, like himself, from taking the course which they would otherwise be obliged to adopt.

LORD ASHLEY was not disposed to offer any opposition to the introduction of some great remedial measure upon the subject. He much regretted that the Bishop of Durham was not advised to take a different course. He did not understand that his hon. Friend the Member for Cockermouth had made any objection to the appointment of the incumbent, nor did he seem to object to the distribution of these funds. His hon. Friend's objection was that there was no distribution at all; instead of the funds being distributed, and the parish being subdivided and a competent salary being assigned to the incumbent of each of the districts, it appeared that the Bishop thought proper to make an appropriation of the income, to put it into the hands of trustees, and to allow it to accumulate without any definite purpose, and for a period that was altogether indefinite. He should doubt very much whether this was a legal arrangement. These funds, which had been given by pious donors for spiritual purposes, instead of being so assigned were allowed to accumulate, and how long it was intended that this system should go on was not known to any one but the Bishop himself. This state of things, he thought, was most unsatisfactory to those districts—most unsatisfactory to the Church itself, and to the principle upon which church property was regulated. He most heartily concurred with his hon. Friend the Member for Cockermouth in the principle of the Motion which he had made, and he wished to bear his full testimony to the zeal and the integrity of his exertions in respect to these matters. He had the honour and pleasure of seeing his hon. Friend much in private, and he did not hesitate to say it was his conscientious belief that in all which he had undertaken he was influenced by a sincere desire to promote the welfare and the efficiency of the Church. He hoped, however, that his hon. Friend would allow him to make an appeal to him as to the course which he thought he ought now to take upon this subject. Having elicited the strongest expressions of feeling from both sides of the House, he hoped his hon. Friend would see the propriety of not pushing his Motion to a division. He thought that his hon. Friend could gather from the tone of all those that had addressed the House, that they concurred in the principle of the Motion, but that they were unwilling to come to a vote that might partake somewhat of a personal character. He therefore hoped that the hon. Member would remain satisfied with this general expression of opinion, and that he would abstain from dividing the House upon this question, trusting to the good sense and feeling of the Bishop of Durham that he would introduce a measure in accordance with the reasonable, and, he might say, the conscientious feelings of Parliament.

MR. J. S. WORTLEY could not go to a division with the hon. Member for Cockermouth; but, at the same time, he agreed with almost every Member who had spoken on the almost absolute necessity which existed for some legislative measure. He trusted that the House would hear from the law-officers of the Crown whether the agreement which had been referred to was such an one as would secure to the parishes of Bishop Wearmouth and Sunderland the arrangement which had met the views of the Bishop of Durham. He would take it for granted that the Bishop acted from the best motives, but at the same time, he wanted to know whether it was a valid agreement. If the living were sequestrated, it was manifest that the agreement could not stand in law; and though, in calling it a simoniacal agreement, he had not the least intention of imputing corruption either to the Bishop or the incumbent, it was clear that could not prevail against a creditor. He trusted, therefore, that the noble Lord, having collected what was the general opinion of the House, would cause a communication to be made to the Bishop on the subject; and that, on the other hand, the hon. Gentleman would not press his Motion.

Mr. J. A. SMITH concurred in the object of the Motion, but would feel the greatest reluctance in voting for it, as he had known the right reverend Prelate, whose conduct was called in question, many years, and could bear testimony to the eminent services he had rendered to the Church. If the hon. Gentleman the Member for Cockermouth did not accede to the recommendation of the noble Lord the Member for Bath (Lord Ashley), there was another course which might be pursued. That course was moving the adjournment of the debate. He could not doubt but that the general expression of the feelings of that House would not be lost on the Bishop. His hon. Friend, therefore, could not suppose that his Motion would end without some result. The hon. Member concluded with moving the adjournment of the debate, but the Motion was not seconded.

Mr. WAWN expressed a hope that the hon. Member for Cockermouth would not consent to withdraw his Motion, until he heard from the noble Lord the Member for the city of London whether there existed, on the part of the Government any sincere desire to divide the revenues of the rectorship of Bishop Wearmouth in the mode that equity pointed out. What security was there afforded to the parishioners that this division would be effected? The agreement that had been entered into with the rector was illegal unless it obtained the sanction of Parliament. If the hon. Member divided the House, he should vote with him.

Mr. HORSMAN assured the House that the kindness and attention which he had received had made a strong impression on his mind; but he wished very shortly to remind them of what had already taken place. His situation was very peculiar with regard to this question. Other hon. Members might entertain their individual feelings with regard to this subject; but it was not an isolated question with him, but part of the general question. When, therefore, he was asked by the noble Lord to withdraw the Motion, he could not forget how often such applications had been made to him. Last year he had brought forward a series of Motions which that House had received with a unanimous feeling, and every one of them he was induced to withdraw on a distinct pledge given by the noble Lord. He had brought forward a Motion for the fusion of the episcopal and common funds under the control of the Ecclesiastical Commissioners, the propriety of which was generally agreed to, and he was promised that the principle should be adopted; he therefore consented to withdraw his Motion, but, in doing so, he made these remarks:—"The noble Lord (Lord J. Russell) only asked for time to confer with the Archbishop of Canterbury, and with a view not only to introducing a measure on this subject, but on others to which he had referred. With that assurance he was quite satisfied. He warned the noble Lord that the other measures to be proposed must be full and comprehensive; and upon that understanding — it being distinctly stated by the noble Lord that he agreed in the object of this resolution—that he was ready, after conferring with the Archbishop of Canterbury, to introduce a Bill not only embracing this but other measures of still greater importance —understanding that clearly from the noble Lord—he should not press his Motion to a division, but leave the subject most cheerfully and gladly in the hands of the Government." Upon this distinct pledge he had withdrawn his Motion, but the pledge had not been redeemed, nor did he know when it would be. He then brought forward a Motion on the subject of the state of the cathedrals and collegiate churches, which was also received with a unanimous feeling in its favour; and when he was again asked to withdraw his Motion, on being pressed, he was induced to give way. The noble Lord having promised to take up the matter, he (Mr. Horsman) was reported to have said, that "after what had fallen from the noble Lord, namely, that without going the full length of issuing a Commission of Inquiry, he admitted that necessity for inquiry, and was ready to institute it, though not in the precise shape he proposed, if he correctly understood the noble Lord to give this pledge—believing that it was given in good faith, and would be fully acted up to —he should not be justified in pressing for the inquiry in the shape he had proposed, and he would not trouble the House to divide on his Motion." The pledge had been given, but it had not been redeemed;

and, so far as he had learnt from the noble Lord, he saw no prospect of its being so. On these occasions many hon. Gentlemen had foretold what had taken place, and had told him that he was losing the confidence of his friends out of the House, as they supposed that he was making sham Motions. On this question, also, he had been warned that a similar proceeding would, on the present occasion, take place, and he would again be asked to withdraw his Motion. He had given way on former occasions, and he most respectfully but reluctantly yielded to the feelings of the House; and he now asked it whether he was to blame when he hesitated to give way when he saw the result of his yielding on former occasions? On former occasions, however, he might more readily do so, as these Motions might to a certain extent be regarded as of an abstract character; but here the question was brought before the House as involving a specific grievance, and was founded on the allegations of numerous petitions which had been laid on the table of the House. If he was right in the course which he proposed to adopt, as the House had told him that some such a principle as he had suggested should be adopted, he knew not why the House should not come to an expression of its feelings in a legitimate manner by recording its opinions on the subject. He agreed with hon. Gentlemen opposite, that it would have been far better if the Bishop of Durham had introduced a Bill, as he (Mr. Horsman) had expected that he would have done at the beginning of the Session; and if he believed that the right rev. Prelate would do so now, he would not have brought forward his Motion. This being the case, he thought that it was the proper course to proceed with what the noble Lord said in his speech was the necessary mode of proceeding. It was very painful to any Gentleman to cast what might appear to be severe censures on a dignitary of his own Church; but he begged to repeat that he did not quarrel with the manner in which the patronage had been bestowed on that occasion, as he believed that the right rev. Prelate had appointed a gentleman who would be a blessing to the large population of this parish. He had said that the income of 2,000*l.* a year, which was to be given to the new incumbent, might appear to some to be exorbitant; but he would not quarrel with it under the circumstances of the case. The noble Lord said that there might be some inquiry: all that he required was that they should make that inquiry, and proceed in a legal manner. He did not wish to bring forward any Motion of a personal character; but on this subject he was too much in earnest to let the great and paramount interests of the population at large give way to any conventional feelings. He entertained the greatest respect for the bishops of his own Church, and he wished to see them enjoy in the highest degree the approval of public opinion; but he felt bound to say that for much of the deficiencies which existed in our ecclesiastical system our ecclesiastical rulers were mainly responsible. He wished the House to remember that the ecclesiastical duties of Bishop Wearmouth had been divided amongst four curates, and their average income was 90*l.* a year net, and the average period during which they had held their appointments was twenty years each. He did not believe that there was in the Church of England a parish containing a denser population in which the clergy in a more zealous and exemplary manner discharged the duties of their sacred offices, than in Bishop Wearmouth. He thanked the House that during the discussion no imputation had been thrown out against him, as he felt that he had a very invidious task to perform, for which he had incurred some obloquy out of doors. He should press his Motion, because he entertained a strong feeling towards the working clergy of the Church; and he felt that theirs was a holy and just cause, and in which, with God's blessing, he would persevere.

LORD J. RUSSELL said, that the hon. Gentleman the Member for Cockermouth had charged him with something like a breach of good faith, and he hoped that the House would permit him to make a few observations in explanation. The hon. Gentleman had referred to the Motion which he (Mr. Horsman) had brought forward as to the episcopal and common funds of the Church, under the control of the Ecclesiastical Commissioners. He (Lord J. Russell) had promised on that occasion that he would speak to the Archbishop of Canterbury on the subject, who had then but lately been appointed to that see. Shortly afterwards he saw the Archbishop of Canterbury, and they conversed together on the subject, and they went over the various grounds as to the propriety of adopting the arrangement, and the result was, that the Archbishop agreed with him (Lord J. Russell) that there was no valid ground of objection to the adoption of such a course. He, since that time, brought the subject under the consideration of the Cabinet; and it had agreed that some measure should be introduced for effecting that object. The hon. Gentleman then made a proposition for a different arrangement respecting cathedrals and collegiate churches. This was a more difficult matter. He thought it advisable that an inquiry should take place before any further proceedings were taken, and he advised the Crown to appoint a commission for that purpose. This had been assented to, and the commission had been appointed, over which the Earl of Harrowby presided, and of which several Members of that House were members. As to the question why he had not introduced legislative measures on these subjects during the present Session, he had already said that the Cabinet had assented to the introduction of one of those measures; but the hon. Gentleman had said that he (Lord J. Russell) had violated his pledges, without in any degree considering what had taken place in the present Session. There were only two days in the week, or eight in the month, at the disposal of the Government, and the hon. Gentleman ought to be aware of the time which was taken up in proceeding with any Bill through that House. During the present Session they had, in the first place, to bring forward a Bill for the further Suspension of the Habeas Corpus Act in Ireland, for the previous Bill expired on the 1st of March. With regard to the navigation laws, a great deal of excitement existed on this subject in Canada and other colonies, as well as in this country, and it was most desirable that some certain decision of Parliament should be arrived at with as little delay as possible. Likewise further measures were deemed to be of imperative necessity respecting the famine in parts of Ireland. It was likewise necessary that they should take some votes in the Army and Navy estimates, or otherwise the Mutiny Act would expire without renewal. He, therefore, put it to the House whether, in neglecting, up to this period of the Session, to introduce Bills for the purposes he had named, he had broken any pledges? He, no doubt, had brought forward other measures, but those were of urgent necessity. They could not allow the Habeas Corpus Suspension Act to expire without attempting to get it renewed; and as to the navigation laws, it was essential that they should be brought forward at an early period of the Session. It was necessary that they should proceed to the consideration of the destitute state of the western districts in Ireland, and not let the famine progress further. These were the reasons which had induced him to postpone bringing forward for the present the measures he had alluded to, but he certainly would bring them forward in good time.

Alderman THOMPSON appealed to the hon. Member for Cockermouth not to go to a division after the expression of the feeling of the House.

Sir F. T. BARING stated, that he had waited to the last moment for the hon. Gentleman to withdraw his Motion, as he was satisfied that that was the best course that could be pursued. As, however, the hon. Gentleman felt it to be his duty to press his Motion, and as he (Sir F. Baring) felt the great inconvenience of coming to a decision one way or other on the subject, the course which he believed would be most convenient and satisfactory to the House, and which really expressed the opinion of the House in a manner which would not give pain to any one, was to move the previous question. This certainly would express the feelings of the majority of the House. The right hon. Gentleman then moved the previous question.

Whereupon Previous Question put, "That that Question be now put."

The House divided:—Ayes 39; Noes 52: Majority 13.

List of the Ayes.

Anderson, A.
Ashley, Lord
Brown, H.
Clay, J.
Cobden, R.
Cowan, C.
Currie, H.
Duncan, G.
Duncuft, J.
Fordyce, A. D.
Greenall, G.
Hardcastle, J. A.
Hastie, A.
Henry, A.
Heyworth, L.
Kershaw, J.
Langston, J. H.
Lockhart, W.
M'Gregor, J.
Mangles, R. D.
Molesworth, Sir W.
Mullings, J. R.
O'Connor, F.
Osborne, R.
Pattison, J.
Raphael, A.
Sandars, G.
Sheridan, R. B.
Smith, J. A.
Smith, J. B.
Spooner, R.
Stansfield, W. R. C.
Strickland, Sir G.
Thompson, Col.
Thompson, Ald.
Thompson, G.
Walmsley, Sir J.
Wawn, J. T.
Wood, W. P.

TELLERS.

Horsman, E.
Hume, J.

List of the Noes.

Abdy, T. N.
Baines, M. T.
Baring, rt. hn. Sir F. T.
Bellew, R. M.
Berkeley, hon. Capt.
Blackall, S. W.

Boldero, H. G.
Brotherton, J.
Campbell, hon. W. F.
Craig, W. G.
Cubitt, W.
D'Eyncourt, rt. hn. C. T.
Dundas, Adm.
Dunne, F. P.
Ebrington, Visct.
Edwards, H.
Elliot, hon. J. E.
Estcourt, J. B. B.
French, F.
Grace, O. D. J.
Grenfell, C. P.
Hawes, B.
Hayter, rt. hon. W. G.
Hobhouse, T. B.
Hope, A.
Howard, Lord E.
Lascelles, hon. W. S.
Lewis, G. C.
Macnamara, Maj.
Maitland, T.
Maule, rt. hon. F.
Milnes, R. M.
Palmerston, Visct.
Parker, J.
Peel, rt. hon. Sir R.
Reid, Col.
Rice, E. R.
Rich, H.
Richards, R.
Romilly, Sir J.
Russell, Lord J.
Seymer, H. K.
Sheil, rt. hon. R. L.
Slaney, R. A.
Somerville, rt. hn. Sir W.
Tancred, H. W.
Vane, Lord H.
Wilson, J.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wyld, J.
Wyvill, M.

TELLERS.
Hill, Lord M.
Grey, R. W.

LORD J. RUSSELL then stated, that he had no hesitation, after the division which had taken place, to adopt the suggestion of the right hon. Baronet the Member for Tamworth, and communicate with the Bishop of Durham with reference to the feeling of the House on the subject.

LABOURING POOR.

MR. SLANEY, in bringing forward his Motion for the appointment of a Standing Committee or unpaid commission, to consider and report from time to time on practical measures—unconnected with political changes—likely to improve the condition of the working classes, to encourage their industry, and increase their contentment, stated that he would not task the House to take his testimony as to the condition of the labouring population of the country, but he should refer them to the accumulated evidence on this subject, which was embodied in the successive reports which had been made to Parliament by accredited authorities, and also by several Committees of both Houses. The working classes were susceptible of two great divisions, namely, the agricultural or peasant classes, and the artisans or operatives who inhabited the large towns and manufacturing districts. The successive reports on the poor-laws and their administration, from, 1817 to 1834, gave a most deplorable account of the condition of the agricultural classes under the operation of the poor-laws as they existed up to the latter year. In the year 1835 a stern and severe poor-law was substituted for the former system, and his present object was to inquire whether the labouring population was in any respects better off than it had been under the former system. The reports of that commission would show what, if any, improvement in the condition of the poorer classes in our large manufacturing towns had been made. The rate of mortality was perhaps the best criterion that could be taken of the general health of those classes. The average rate of mortality throughout the country was something more than two per cent. In the large towns it was 2.5, 3, and 3.5, and in some of the more densely populated parts of those towns, as the courts and alleys, where the poorest of the people congregated, it was 4.5, and even as high as six per cent. In 1838–9, the Poor Law Commission reported as to the sanitary condition of the poor in the eastern parts of London, and in 1840 a Committee of the House of Commons was appointed to inquire into the health of towns generally.

Notice taken, that Forty Members were not present; House counted; and Forty Members not being present,

The House was adjourned at a quarter after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, March 21, 1849.

MINUTES.] PUBLIC BILLS.—1° Public Roads (No. 2); Sequestrators' Remedies; Indemnity.
2° Tenants at Rack Rent Relief.
Reported.—Landlord and Tenant; Recovery of Wages (Ireland); Insolvent Members.

PETITIONS PRESENTED. By Mr. Cardwell, from the Liverpool Guardian Society for the Protection of Trade, in favour of the Insolvent Members Bill.—By Mr. Bouverie, from Warrington, Lancashire, and from several other Places, in favour of, and by Mr. Sidney Herbert, from the Clergy of the Diocese of Gloucester, against, the Clergy Relief Bill.—By Mr. Alexander Hope, from the Deanery of Frome, Somerset, and from several other Places, against, and by Mr. Stuart Wortley, from the Parish of Godalming, Surrey, in favour of, the Marriages Bill.—By Mr. Hume, from British Guiana, praying for Relief.—By Captain Fordyce, from Aberdeen, for Exemption of Charitable Bequests from Legacy Duties.—By Sir T. Acland, from the Netherexe Farmers' Club, Devonshire, for the Relief of Agricultural Distress.—By Sir Joshua Walmsley, from the Relieving Officers of Bethnal Green Union, for a Superannuation Fund for Poor Law Officers.—By Mr. Cornewall Lewis, from the Norwich Chamber of Commerce, in favour of the Public Roads Bill.—By Mr. Matthew Wilson, from the Congregation of Wesleyans in Slaidburn, Yorkshire, for an Alteration of the Sale of Beer Act.

SMALL DEBTS (IRELAND) BILL.

Order for Second Reading, read.

MR. W. FAGAN rose to move the Second Reading of this Bill. The object of the Bill was to assimilate the law of Ireland for facilitating the recovery of small debts to the law passed in England for that purpose in 1846—namely, the 9th and 10th Vic., cap. 95; and which enacted, that persons bringing actions in the superior courts to recover sums below 20*l.* did so at their own peril as regards costs. The law of 1846 had given very general satisfaction to the people of England; and as it was the boast of the English Members of that House who professed themselves friendly to Ireland, that they were ready to assimilate the laws of the two countries, as far as was practicable, with any varying circumstances, he trusted that the House would now consent to extend the benefits of this Act to Ireland as well as England. If that enactment were good for England, it ought, he conceived, to be extended to Ireland. He had embodied in the Bill the clause of the County Courts Act, to which he had referred: and though professional men might be opposed to the measure, because it would reduce the expenditure of money in the profession, the great mass of the community in Ireland were most anxious to see this law carried into effect. The next provision of the Bill would enable the assistant barristers in Ireland to give the costs of witnesses in their courts. When the Act was passed for the abolition of imprisonment for small debts, the assistant barristers for the purposes of that Act could give the costs of witnesses to the amount of 5*l.*; and the Bill before the House went no further than to extend that provision of the Act of Parliament generally, and to give a general power to assistant barristers, with respect to the costs of summoning witnesses. In some portions of the county of Cork, a man might be processed for a debt of 40*s.* to a court sitting fifty miles from his place of residence. He must either pay or travel fifty miles, and bring his witnesses with him. He might be detained with his witnesses in that distant town for a whole week, and still the assistant barrister had not power to award costs in that case. He held in his hand a writ which had been served a few days ago on an industrious farmer in Waterford for a debt of 4*l.* 0*s.* 9*d.*, and the amount of costs marked on the back of the writ was 3*l.* 10*s.* That was a most mischievous state of things, and to remedy it he introduced this Bill, enabling assistant barristers to award costs to witnesses, which, considering the distances witnesses had sometimes to go, was a very necessary provision. The next provision of the Bill was to enable justices of the peace at petty sessions to take under their jurisdiction civil-bill cases to the amount of 40*s.* At present they had the power to adjudicate in suits instituted for the recovery of wages to the amount of 6*l.*, and also to decide in cases of arbitration in mortality societies; and it was thought that the extension of the power generally to debts not exceeding 40*s.* would be a valuable improvement in the law in Ireland in reference to the recovery of small debts. The third provision had reference to the jurisdiction of recorders in certain cases. It was intended by the Municipal Act to give to recorders the same jurisdiction that was possessed by assistant barristers at quarter-sessions; but it would appear they had not the power to decide cases of ejectment or of replevin. It would be most salutary if recorders had jurisdiction in those cases, and it was the intention of the Municipal Act that they should have such power. In conclusion, he begged to move the second reading of the Bill.

MR. NAPIER, admitting that the hon. Gentleman's intention was laudable, felt himself, nevertheless, compelled to oppose the second reading of the Bill, on the ground of the legal difficulties that stood in the way of applying the provisions of the English measure to the machinery now existing in Ireland. One great difference was, that England enjoyed all the facilities of direct and rapid railway communication, which was as yet very partially extended to Ireland; and this was an important consideration in regard to the attendance of witnesses. Under the law, as it stood, the debtor had great powers, and was entitled to no favour from the Legislature. When the creditor had recourse to vexatious proceedings in a superior court, the debtor had the power of staying proceedings on payment of the debt with a small amount of costs. One improvement in the existing law was very necessary—to give the judge the power of awarding expenses actually incurred. It was objectionable to convert the petty sessions courts of justice into a kind of civil tribunal; the effect would be to create a scene of turmoil from one end of Ireland to the other. He did not think any improvement could be made on the law as it stood without adopting the whole of the county-court machinery; and this he was not prepared to do.

SIR W. SOMERVILLE, while giving credit to the hon. Member for Cork for his good intentions, hoped the Bill would not be pressed. There were great legal obstructions in the way of any attempt to assimilate the law on small debts of the two countries; and he was convinced that the adoption of such a measure as the one before the House would be attended with great danger. Recently, the Solicitor General for Ireland and himself had minutely considered the subject; and they found that the difficulties were almost insuperable. In the discussion of the Small Debts Bill of last Session, it became evident that there was a large and influential party in Ireland opposed to an assimilation of the law. There were useful provisions in the measure; but upon the whole, it would be better to withdraw it.

SIR D. NORREYS regretted that the Bill would not be allowed to go into Committee, as then many of the objections raised by the hon. and learned Member for the University of Dublin might have been removed. It was quite natural to suppose that gentlemen of his profession would be opposed to any measure which went to facilitate the administration of the law. The hon. and learned Member had objected to the magistrates having jurisdiction in cases of small debts; yet he himself had a Bill on the Paper giving them cognisance of contracts, than which nothing involved more nice legal questions.

MR. HUME said, it had long been the complaint that the Legislature had not acted fairly towards Ireland; and as we had recently adopted an important measure in this country for facilitating the recovery of small debts, which had upon the whole succeeded well, it was desirable to extend the same principle to Ireland. With this view the principle of this Bill, at least, ought to be adopted; and if there were legal objections to the details, it was for the Government to get over those difficulties, by referring the Bill to a Select Committee. It was no answer to say that a party in Ireland was opposed to the change; why, every attorney in England had opposed the County Courts Bill.

MR. J. O'CONNELL supported the recommendation that the Bill should be referred to a Select Committee, who might also direct their inquiries to a general assimilation of the civil law of both countries.

The SOLICITOR GENERAL said, he must express his sincere opinion of the great advantages which had been produced by the County Courts Act, which he thought might be still further extended. It had been no injury to the legal profession, but, on the other hand, a source of great remuneration. There was no doubt it was desirable to extend the same measure to Ireland; the only question was, whether this could best be done through the assistant barristers, or by a totally new machinery. He deprecated the practice of reading Bills a second time, and referring them to a Select Committee, when no one agreed upon any one of the details, but simply thought the object of the Bill a good one. The better course would be to bring in a Bill with nothing but a title or a preamble, and refer it to a Committee to draw the clauses. In this case no answer had been attempted to be given to the objections of the hon. and learned Member for Dublin University; and he would suggest to the hon. Member for Cork, whether it would not be better to withdraw the Bill, and reintroduce it after the clauses were settled by competent parties. The provision for giving magistrates jurisdiction over small debts, he thought particularly objectionable; and there was nothing on which the House was agreed but the title of the Bill.

MR. SCULLY would recommend the withdrawal of the Bill, provided the Government would promise to take the matter into their hands, and bring in a Bill having the same object.

MR. SHARMAN CRAWFORD, while supporting the principle of this Bill, was opposed to the clause giving magistrates jurisdiction. He should vote for the second reading, with a view to the Bill going before a Select Committee.

MR. W. FAGAN said, he would withdraw the Bill, if the Government would pledge themselves to introduce a measure having the same object. If not, he should press the measure to a second reading, with the view to send it upstairs to a Select Committee.

SIR W. SOMERVILLE said, the matter should have his best consideration, but he could not undertake to prepare and bring in a Bill himself.

MR. BOUVERIE said, in that case the right hon. Gentleman ought to consent to the second reading, a distant day being fixed for the next stage.

Motion made, and Question put, "That the Bill be now read a second time."

The House divided:—Ayes 29; Noes 31: Majority 2.

List of the AYES.

Arkwright, G.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bouverie, hon. E. P.
Brotherton, J.
Crawford, W. S.
Duncuft, J.
Ellis, J.
Forster, M.
Gaskell, J. M.
Greene, J.
Harris, R.
Heald, J.
Heyworth, L.
Hindley, C.
Hume, J.
Kershaw, J.
King, hon. P. J. L.
Martin, J.
Meagher, T.
Milnes, R. M.
Norreys, Sir D. J.
O'Connell, J.
Pilkington, J.
Strickland, Sir G.
Thompson, Col.
Thorneley, T.
Walter, J.
Wawn, J. T.

TELLERS.

Fagan, W.
Scully, F.

List of the NOES.

Blair, S.
Buck, L. W.
Divett, E.
Duckworth, Sir J. T. B.
Ellice, rt. hon. E.
Fuller, A. E.
Greenall, G.
Hayes, Sir E.
Headlam, T. E.
Heneage, G. H. W.
Henley, J. W.
Herbert, H. A.
Hood, Sir A.
Hope, Sir J.
Lacy, H. C.
Lewis, G. C.
Maitland, T.
Moffatt, G.
Mullings, J. R.
Napier, J.
O'Brien, Sir L.
Palmer, R.
Pusey, P.
Romilly, Sir J.
Sotheron, T. H. S.
Stafford, A.
Sullivan, M.
Tenison, E. K.
Tollemache, J.
Vesey, hon. T.
Watkins, Col. L.

TELLERS.

Bellew, R. M.
Somerville, rt. hn. Sir W.

Bill to be read 2° this day six months.

LANDLORD AND TENANT BILL.

MR. PUSEY said, that since the Second Reading of this Bill, he had endeavoured to meet the difficulties made by the hon. Member for Cirencester, and, acting under legal advice, he had made several amendments in the Bill, upon which he hoped that the House would now go into Committee *pro formâ*.

COLONEL SIBTHORP did not know that he should oppose the Motion of the hon. Member for Berkshire, but from communications which he had received from several high authorities, land agents and others, he was satisfied that they told him the truth when they said that the Bill was not required at all, and that it was better to let landlord and tenant alone. Whatever amendments might be made in the Bill, he objected so strongly to its principle, that he should oppose it in every stage.

MR. H. A. HERBERT thought that the Bill was a valuable measure, and as it was applicable to the circumstances of Ireland, he hoped that the hon. Member for Berkshire would consider the propriety of extending it to that country. It might be objected that the relations of landlord and tenant were so complicated in Ireland, that it would be impracticable to carry its provisions into execution; but though the Bill would not meet all the difficulties which existed on the subject, he was convinced that its extension to Ireland would be productive of great advantage.

SIR G. STRICKLAND understood that the Motion of the hon. Member for Berkshire was only to go into Committee *pro formâ*, and consequently that no discussion would take place now on the amendments which were to be inserted. He had read the Bill with every disposition to find something good it, but he was sorry to say that, though it would be useful to the lawyers, it would be very injurious to the tenant farmers. The want of clear definitions in the Bill would create great differences of opinion as to the rights of tenants, though at present no such difficulties existed.

The House then went into Committee, Mr. BERNAL in the chair, and certain amendments having been inserted in the Bill, and ordered to be printed, the House resumed.

COLONEL SIBTHORP expressed a hope that the hon. Member for Berkshire would allow ample time for the new Bill to be circulated through the country before he proceeded with it again.

MR. PUSEY observed that the changes in general were merely technical, and did not affect the provisions of the Bill in the slightest degree. There was nothing to diminish the opposition of the hon. and gallant Member, or to increase it.

COLONEL SIBTHORP hoped that, at all events, the hon. Member would not proceed with the Bill on Wednesdays.

MR. PUSEY believed that Wednesday was the proper day for the discussion of measures brought in by individual Members of Parliament. He remembered that when he brought the Bill in on a Friday, he was told that he was smuggling it in.

The Bill was then recommitted for Wednesday 28th instant.

CLERGY RELIEF BILL—THE CASE OF THE REV. MR. SHORE.

MR. BOUVERIE rose to move, pursuant to notice, to refer the above Bill to a Select Committee, by which means it would be advanced more rapidly. While doing so he would take that opportunity of referring to a statement made in one of the leading journals of this city, with respect to the case of a rev. gentleman, for whom that Bill was said to have been intended—he meant the Rev. Mr. Shore. Now as the statement made was directly at variance with the fact, he would briefly set the matter right by mentioning what were the real circumstances of the case. He found it mentioned in a morning paper—

> "That the object of proceedings taken against the Rev. Mr. Shore in the Arches Courts, was not the imprisonment of that gentleman, nor for the purpose of deposing him from his functions as a clergyman, but because having been cautioned against doing so, he still persisted in officiating in an unconsecrated house of worship without a license from the Bishop."

Now, without insisting upon it that the proposed divestment of holy orders would relieve the rev. gentleman from his liability in the Ecclesiastical Courts, he (Mr. Bouverie) would simply state that the allegation contained in the paragraph which he had read was not the fact, but the very contrary to the fact. He happened to have in his possession the form of proceedings taken in the ecclesiastical courts, which had been laid before the Judicial Committee of the Privy Council. He found there, that, according to the prayer of the articles exhibited against the Rev. Mr. Shore, it was to the effect—

> "That that gentleman should be admonished to abstain from publicly administering the sacraments, preaching or performing Divine service in the said chapel; and that if he should refuse compliance with that admonition, he might be dealt with and punished in proportion to the nature of his offence, according to the provisions and extent of the law."

Then he found in the judgment delivered by Sir Herbert Jenner Fust a full confirmation of what he asserted. The hon. Member here read an extract from the judgment referred to, and concluded by observing that the object of the proceedings in the Ecclesiastical Court was to depose the Rev. Mr. Shore from his clerical functions, and therefore the statement alluded to was not only not the fact, but decidedly contrary to the fact.

Mr. HENLEY said, he was glad that the hon. Member had determined to move that the Bill be referred to a Select Committee; and he hoped, if it went there, that a provision would be introduced into it by which a clergyman might be divested of his office by the same authority which had invested him with it. The Bill, as it at present stood, almost enabled a clergyman to divest himself of his office with as little trouble as it would take to blow his nose; and he thought that was far too summary a proceeding for so serious a business. A military officer was obliged to resign his office through the hands of the same authorities who had appointed him to it; and that principle might very properly be extended to ecclesiastical matters.

Mr. ROUNDELL PALMER did not wish to anticipate the result of the deliberations of the Select Committee; but he rose to make some observations upon what had fallen from his hon. Friend the Member for Kilmarnock. He could not help thinking that his hon. Friend had not perfectly understood the bearing of the form of the proceedings in the ecclesiastical court. He did not know in which of the morning journals the statement had appeared to which his hon. Friend had referred; but he understood the writer of the article to contend that the object of the proceeding by the Bishop against the Rev. Mr. Shore, was practically to depose him from the office of a minister of the Church of England. His hon. Friend did not seem to be aware that the Bishop could not pray for the Rev. Mr. Shore's deposition, on account of his preaching in an unlicensed chapel. All, therefore, that he could possibly do was to avail himself of the existing provisions of the law, and to go into the ecclesiastical court, and pray for such punishment as the law of the land directed. It did not appear to him, therefore, that any observation fairly arose out of the form of the proceeding upon the statement to which his hon. Friend had referred.

Mr. BOUVERIE remarked, that in the course of the judgment, the learned Judge who presided said, that, as he understood, the prayer of the Bishop's counsel was to the same effect as the prayer of the articles.

Mr. ROUNDELL PALMER said, that was a matter of course.

Mr. HUME said, that, lest he should be supposed to concur with the hon. Member for Henleyshire—[*Laughter*]—Oxfordshire, he should say—he must declare that he saw no reason why the least obstacle should be interposed to a clergyman's quitting the Church, when he could not conscientiously continue to hold its doctrines. Any other course would encourage hypocrisy; and he hoped that the Committee upstairs would place every facility in the way of a clergyman's leaving the Church under such circumstances.

Mr. GLADSTONE wished it to be clearly understood that he did not concur in the opinion expressed by the hon. Member for Montrose. He would submit it to the hon. Gentleman who had charge of the Bill, whether, instead of going into a discussion on the details of the Bill, it would not be better merely to consider the question as to sending it before a Select Committee?

Mr. HORSMAN referred to the case of a clergyman who had left the Church, and had become a Roman Catholic layman. He had been appointed a Government inspector of schools, and had been gazetted to that office as an esquire. He wished to know whether that gentleman could not, under the provisions of this Bill, be elected a Member of that House?

Mr. STAFFORD observed, that he had given notice on the Paper that this Bill should be referred to a Select Committee; but he was happy to find that he was anticipated in his intention by his hon. Friend the Member for Kilmarnock, who had charge of the Bill. He had received communications from various parts of the country respecting this measure, and from them it appeared that there was no objection to the principle of allowing clergymen to leave the Church; the only question was, as to the mode of doing so.

Sir W. CLAY asked when the proper time would arrive for presenting a petition in favour of this Bill, which was agreed to at a public meeting at which upwards of 5,000 persons were present, and which he wished to have referred to the Select Committee on the Bill.

Mr. SPEAKER observed, that a Motion to that effect could not be made until the Committee on the Bill was appointed.

Order for Committee read, and discharged. Bill committed to a Select Committee.

House resumed.

INSOLVENT MEMBERS BILL.

The House then went into Committee on the Insolvent Members Bill.

On Clause 1,

Mr. HENLEY said, that the measure was a most important one, and he thought it was pressed with too great a degree of rapidity; in his opinion, more time should be given for considering it.

Mr. MOFFATT said, that the Bill had been before the House for six weeks; it had been carefully criticised by a Committee upstairs, so that he could see no objection to proceeding with it now.

The 1st and 2nd Clauses were then agreed to.

On Clause 3 (if the money shall remain unpaid after the day fixed for payment, the creditor may apply to the Insolvent Debtors Court in England or Ireland) being put,

Sir H. WILLOUGHBY wished to be informed whether a Member who, through being engaged in a suit of law or equity, was called upon for the payment of costs, would, through the operation of the Bill, be deprived of his seat?

The SOLICITOR GENERAL said, the Bill would apply to costs as well as to everything else. If a person who had been ordered to pay costs did not pay them, the person entitled to receive them would proceed in exactly the same manner as he would if he had a judgment against any one for the payment of an ordinary debt. After a day had been fixed by the court for hearing, there would be six months' additional notice; and upon the declaration of insolvency, the seat would be vacated.

Mr. ROUNDELL PALMER saw no reason why there should be a different law for bankrupt and for insolvent Members. By the present law the bankrupt Member was allowed twelve months before he vacated his seat; they should either give the same period to the insolvent Member, or state the time during which a bankrupt might sit. Under any circumstance, the law should be uniform. He could not help feeling that this was a subject towards which the Government should direct its attention, with the view of considering whether the Members of both Houses of Parliament should not be placed on the same footing. It would not be a state of the law calculated to raise in public estimation the other House if they passed a Bill of this nature, by which they disgraced and deprived of protection insolvent Members of that House, and did nothing to prevent insolvent persons legislating in the other House. He might be told, that it would be easy for the other House to take the initiative in legislating for themselves; but it would be better for the Government, which had the power of initiating measures in both Houses, to bring in a general measure applicable to the Members of both Houses. At any rate, if this measure should pass, he trusted that a similar Bill would be introduced into the other House applicable to the Members of it.

Sir W. CLAY said, that he gave every credit for good motives to his hon. Friend who had introduced this measure; but he thought that they were proceeding altogether on a false principle. It was quite clear, from the explanation of his hon. and learned Friend the Solicitor General, that the mere circumstance of being indebted and having lost a suit at law, and being unable to pay heavy costs, would lead to the loss of his seat by any Member of the House so circumstanced. That appeared to be at variance with the principle of the constitution. Constituencies did not elect men to be Members of that House because they were rich, but for their political principles, their general attainments, or their local connexion with a place. A man was not elected a Member of that House because he was able to pay his debts. He thought they had no right to impose a limitation on the electors of the British empire as to whom they should elect, unless there had been something disgraceful on the part of a person so offering himself; but here you say a man shall not be elected, because he cannot pay a debt within a certain limited period. If the Bill had been in existence fifty years ago, neither Fox, nor Sheridan, nor even Pitt himself, could have had a seat in that House. He trusted that the House would not consent to pass this Bill without fully considering the subject, and without having a previous discussion on it, as it involved an important principle. He would only add, that if his hon. Friend had proposed to delay the Bill, or to get rid of it altogether, he would have voted with him. Giving every credit to his hon. Friend for having introduced this Bill, he (Sir W. Clay) must say, with all deference to him, that he considered it to be objectionable in its nature, and founded on a false principle.

The SOLICITOR GENERAL observed, that the effect of this Bill would be, that when a Member became insolvent he would have to vacate his seat; but there was nothing to prevent the electors of a place electing him again. It might be said, that if he was insolvent he would have no qualification; but it was a very common thing for Members to hold qualifications which could not be affected in the way supposed. He believed if the Bill had been in existence half a century ago it would not have had the effect of excluding Mr. Fox, Mr. Sheridan, or Mr. Pitt from seats in that House. It might, however, very probably, have had the effect of preventing them getting into debt. There was nothing in the Bill but this, that a candidate having been elected on the condition that he was solvent, but afterwards becoming insolvent, the House gave to the electors the opportunity of reconsidering whether he was a fit person to represent them, he having so become insolvent. As to the Act relating to cases of bankruptcy, it appeared to him proper to make the law more stringent as affecting insolvents than as regarded bankrupts; for the affairs of a trader might become accidentally involved on contingency, which did not apply with equal force to cases of insolvency. It was true, that in cases of bankruptcy the seat was not voided for twelve months, but during that time the Member could not sit or vote in Parliament, and so the borough was for that time practically unrepresented; whereas by the present Bill the borough would not be unrepresented during the time mentioned therein. It had been thought undesirable to touch anything which related to the bankrupt law. With regard to extending the Bill to the House of Lords, he agreed with the hon. and learned Member for Plymouth, that any such proposition should spontaneously emanate from that House. His hon. Friend near him said he wished to extend the present Bill to the House of Peers, because he knew such a course would be fatal to the measure, which he believed to be wrong in principle. If the Bill were wrong in principle, let it be rejected in a straightforward way at once, and not in an indirect manner, by the addition of a provision which it might be supposed would certainly cause the rejection of it in another place. The graceful manner of proceeding would be for the House to make the Bill applicable only to themselves; then to send it to the other House, and leave it to the Peers to decide whether they would extend its operation. All these points had undergone a great deal of consideration and discussion in the Committee upstairs, and it had been considered beneficial to assimilate the Bill with the law of bankruptcy, or to introduce a clause relating to the House of Peers.

Mr. F. O'CONNOR said, it appeared to him, from the speech of the hon. and learned Gentleman, that the Bill was "a mockery, a delusion, and a snare." The hon. and learned Gentleman propounded the principle, that a man might be insolvent and lose his seat, and yet that he might borrow a new qualification, and be again returned to Parliament. When such doctrines as these were laid down, what must the people think of the legislative improvements that were going on? He concurred in all that had fallen from the hon. Member for the Tower Hamlets, but felt it necessary to oppose the Bill; for he considered, after what had been said by the hon. and learned Member for Plymouth, that its fate was sealed.

Mr. HUME said, that this Bill had nothing to do with the Members of the other House, who held their tenure upon a different principle, and he would rather leave the decision of the point to their own honour than insert a clause in the Bill. If the Lords did not choose to put in such a clause, it would only damage their character, and place them in a position in which no honourable men would be seen. However, the declared opinions of the House of Commons had some influence in another place, and from what he had heard from several noble Lords, he believed there was a strong feeling among them that a measure of this kind should apply to them also. There ought to be some provision in the Bill against its being applied to cases where the difficulty had arisen from merely the costs in proceedings at law; for a man of 3,000*l.* a year, and not being improvident or extravagant, might have his means charged with a long accumulating attorney's bill amounting to thousands, and there ought to be some guard against the operation of the Bill in the case of an action brought against him for such an accumulation.

The SOLICITOR GENERAL said, there was no provision of such a kind in the law relating to bankruptcy cases; but at the same time he thought that a man who was made insolvent only on account of costs, certainly stood in a different position from a man who had become insolvent by reason of his own misconduct. The case was, however, provided for in this Bill by the discretion given to the Judge, and that was the only way in which such a contingency could be dealt with. If hon. Members endeavoured in include all cases of particular hardship within the scope of such a Bill, they would find it impossible to deal with them, in detail, with any prospect of a satisfactory arrangement.

Mr. HUME observed, that in legislation it was expedient to take away discretion from a Judge as far as possible, by making the law clear. To illustrate what he meant, he would take his own case. There had been a time when the Government would have given a great deal to get him out of Parliament for troubling them so often. And so would the Judges also, because he was in a bad odour with them, in consequence of having proposed a reduction in their salaries. Suppose the loss of a heavy Chancery suit had placed him in the position contemplated by the Bill, what chance should he have had in the discretion of those Judges if, through the medium of the courts, he could have been deprived of his seat? His own time was now nearly gone; but, looking to the circumstances which might hereafter arise in the case of others, he entreated the House, seeing how often Judges had been favourable to the objects of Government, not to give them a discretion or power in such a matter.

Mr. ROUNDELL PALMER explained, that he was friendly to the principle of the Bill, but had been greatly surprised at the statement of his hon. and learned Friend the Solicitor General, that a person with insolvency in full force against him would be capable of taking his seat again in the House. He protested against such an inference as contrary to the spirit of the Bill. Was a bankrupt capable of taking his seat again while the fiat was in force? After an insolvent had obtained his discharge, it might, perhaps, be proper to put him in the same position as before; but he abjured a principle by which a man who might be a most fraudulent debtor would be eligible to resume his seat. He thought it was at least the duty of the Committee to insert a clause providing that no insolvent should be eligible to a seat until he had obtained his discharge. He would deal with the bankruptcy and insolvency cases in the same way, and he did not see why the period fixed by law should not be the same in both cases. He preferred the shorter period—six months—named in the present Bill. If they wished the other House to follow their example, they must refuse to allow an insolvent to be eligible to re-election until after he had obtained his discharge. As to the question that had arisen with respect to insolvency caused by costs only, the proper mode of meeting the case would be to introduce a clause providing that a debt solely arising from costs should not be a ground for bringing the Act into operation.

Mr. MULLINGS said, that as the law stood, a judgment might be obtained against a Member of Parliament, and execution levied against his property; but everybody knew there were easy modes by which he could dispossess himself of such property, and then no remedy was left to the creditor in consequence of privilege. If he lost his seat he was placed in the same position as any one else, and possession could be obtained of his person. With respect to the House of Lords, he deprecated interference by the House of Commons. He gave his support to the Bill.

SIR W. CLAY would state a case which might very often occur: a man possessed of considerable estate might be deprived of it by the decision of a court of justice, and be ruined by the costs and the loss of his estate at the same time; but if the decision happened to be in his favour, he might sit without any merit of his. When he previously addressed the House, he had mentioned the cases of Pitt and Fox, and the argument which he founded on them was answered by saying, that in such cases the law would be evaded; but he would rejoin by asking, why pass a law which it might be necessary or desirable to evade? It was his view of the subject, that, if any body of electors thought a poor man was also an honest politician, they ought to possess the right to elect him. He would put another case: suppose a man had suffered an adverse decision in a court of justice, and had appealed from it, ought he to be considered, pending that appeal, an insolvent debtor within the meaning of the Bill then before them? Surely he ought not to be so considered, for he might never have owed the debt. The hon. Baronet concluded by moving, that the Chairman report progress, and ask leave to sit again.

The SOLICITOR GENERAL denied that the Bill interfered with the constitutional right of the people to choose any person they thought proper to represent them. There was nothing to interfere with their choice, except what was contained in the existing law; and the Bill merely called upon the electors to say what was their wish with regard to the person who should represent them in the altered state of circumstances.

MR. HENLEY thought the further consideration of the Bill should be postponed, because there had not been sufficient time since it was printed, to examine its details. He did not see how, if an insolvent was re-elected, what was to prevent him from being again and again turned out. Many Members sat in that House without any qualification at all. Scotch Members required no qualification, neither did the sons of Peers. This Bill, however, would interfere with that principle. He thought, too, that the 4th and the 8th Clauses would not work together. For these reasons he should support the Motion of the hon. Baronet the Member for the Tower Hamlets.

MR. H. BERKELEY supported the Motion for the Chairman reporting progress; and said he should give the Bill his decided opposition upon the third reading. There appeared to be a great disposition on the part of that House to legislate against its own Members. At present, it was almost impossible for any Member to resist a petition against him. Nothing need be done but for some agent from the enemy's camp to act as a traitor, and give a sovereign to a voter, and no Committee dared refuse to turn the Member out. He would not himself yield up the present privileges of the House, unless the corresponding privileges of another place were also abandoned. It was, however, impossible to expect that.

MR. STAFFORD knew not whether the Committee would consent to add the new element of confusion suggested by the hon. Member who had just sat down; but there was sufficient confusion in the Bill already to induce him to support the Motion of the hon. Baronet the Member for the Tower Hamlets. When he heard the hon. and learned Solicitor General rise in his place and state that the Bill would not effect its professed object, he thought the variance between the title of the Bill and its clauses a sufficient reason why it should not be allowed to advance further. Some delicacy was naturally felt by hon. Members in speaking upon such a subject, from a fear of labouring under the imputation of personal motives. When he heard a Bill in which they had all so great an interest going through Committee clause after clause so rapidly, he was tempted to inquire how this came to pass. He had been told, he hoped it was not true, that the reason was because all the insolvent Members had gone to the levee. Passing that by, he might remind the hon. Member who conducted the Bill, that one right hon. Gentleman of great authority in that House, who was then absent, but whom, after what had been said, it would be invidious to name, protested most strenuously against it, and stated that he had a great deal to say upon it, and that although he was not opposed to some modification of the existing system, he thought this Bill would fail to produce its intended effect. There had been times when votes were of greater value than now, but advantage might still be taken on critical occasions of a power which enabled any individual to exclude a Member from the House.

Mr. MACKINNON said, the Bill had been misunderstood. It would be impossible for the House to go on under the slur of having Members who used their privileges for the purpose of cheating their creditors; and if they wished to raise themselves in public estimation, and secure respect for their deliberations, they must pass a Bill of this description. The difficulty was as to the re-election of Members, and this might be obviated by the addition of a clause making such re-election dependent on payment of debts. Reference had been made to the other House; but though they could not be expected to take the initiative, they might be induced to follow if the example were set by the House of Commons. If the hon. Baronet the Member for the Tower Hamlets was desirous of amending the Bill, why did he refuse to continue the discussion of its clauses? They had yet two hours and a half, and they could not have a better opportunity.

Colonel THOMPSON said, there was such a thing as being too good. It might be exceedingly proper that the House should afford no shelter to men who would not pay their debts; but it was a very different thing for the House to undertake a work of supererogation with reference to men against whom proceedings were taken. There might be cases where such a proceeding would be attended with considerable danger, both in the outset and afterwards. There was hardly a Member who had not been wooed to put his name, either as chairman or director, to some company or other. The glorious uncertainty of the law which existed in the time of our ancestors, existed in our own; and Gentlemen might be a little uneasy if they were made debtors to associations of that kind. There was an instance of a club in London, in which some difficulty arose as to the claret that had been drank, and which certain hon. Gentlemen had been called upon to pay. It had terrified him out of the club. If a Member were not able to pay his debts, why should he not be entrusted to the care of the sheriff's officer until he did pay them? Let him be handed over to the tormentors, and then there would be no fear of his again taking his seat in the House until he got out of their hold.

Mr. MOFFATT regretted that he could not accede to the request of the hon. Member for the Tower Hamlets. The principle of the Bill was simply to prevent Members from evading payment of their debts. As to the objection, with reference to Members being directors of railway companies, it did not apply, because they were already liable as traders under the bankruptcy laws. The hon. Member for Northamptonshire North had complained of the Bill, on the ground that it introduced a new principle; but no new principle whatever was involved in it, as the object was merely to make general the liability to which Members connected with commercial houses were already subjected. As no ground whatever had been laid for a postponement, he should feel bound to resist the Motion.

Clause 3 was then agreed to.

Clause 4 (Election of insolvent Member to be void after receipt of certificate) read.

Motion made, and Question put, "That the Chairman do report progress, and ask leave to sit again."

The Committee divided:—Ayes 34; Noes 77: Majority 43.

List of the Ayes.

Armstrong, Sir A.
Arundel and Surrey, Earl of
Baillie, H. J.
Beresford, W.
Berkeley, hon. H. F.
Blackall, S. W.
Buck, L. W.
Clay, J.
Cobden, R.
Coles, H. B.
Dod, J. W.
Dodd, G.
Egerton, W. T.
Fordyce, A. D.
Fox, W. J.
Fuller, A. E.
Gaskell, J. M.
Goddard, A. L.
Grace, O. D. J.
Henley, J. W.
Hobhouse, T. B.
Hodgson, W. N.
Lawless, hon. C.
Lowther, H.
Newdegate, C. N.
O'Brien, Sir L.
O'Connor, F.
Scully, F.
Stafford, A.
Strickland, Sir G.
Sullivan, M.
Vyse, R. H. R. H.
Wawn, J. T.

TELLERS.

Thompson, Col.
Clay, Sir W.

List of the Noes.

Adderley, C. B.
Anderson, A.
Arkwright, G.
Armstrong, R. B.
Baines, M. T.
Berkeley, C. L. G.
Birch, Sir T. B.
Blair, S.
Blake, M. J.
Brotherton, J.
Carew, W. H. P.
Cayley, E. S.
Chaplin, W. J.
Colebrooke, Sir T. E.
Crawford, W. S.
Divett, E.

Drumlanrig, Visct.
Duckworth, Sir J. T.
Duncan, G.
Duncuft, J.
Ellis, J.
Estcourt, J. B. B.
Farrer, J.
Glyn, G. C.
Greenall, G.
Greene, J.
Grenfell, C. P.
Grenfell, C. W.
Grey, R. W.
Gwyn, H.
Harris, R.
Headlam, T. E.
Heneage, G. H. W.
Herbert, rt. hon. S.
Heyworth, L.
Hood, Sir A.
Hotham, Lord
Howard, P. H.
Hume, J.
Kershaw, J.
King, hon. P. J. L.
Lacy, H. C.
Langston, J. H.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lockhart, W.
Lushington, C.
Maitland, T.
Mullings, J. R.
Napier, J.
Palmer, R.
Pechell, Capt.
Perfect, R.
Peto, S. M.
Pilkington, J.
Ricardo, O.
Robartes, T. J. A.
Romilly, Sir J.
Russell, F. C. H.
Sandars, G.
Scrope, G. P.
Seymer, H. K.
Shafto, R. D.
Sheridan, R. B.
Smith, J. B.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Stansfield, W. R. C.
Stanton, W. H.
Sutton, J. H. M.
Tenison, E. T.
Thornely, T.
Vesey, hon. T.
Walmsley, Sir J.
Watkins, Col. L.
Wood, W. P.
Wyld, J.

TELLERS.

Moffatt, G.
Mackinnon, W. A.

Clause 4 was then agreed to.

On Clause 5,

Mr. ROUNDELL PALMER moved the addition of the following words at the end of the clause :—

> " And be it enacted, That until any such person whose seat shall have been declared vacant under this Act, shall have duly obtained his discharge under the last-mentioned Acts—the Insolvent Acts—or either of them, he shall be incapable of again sitting in this House."

His object was to place these Members in the same position as they would be under the bankruptcy laws. A bankrupt could not sit in the House until he obtained his certificate, and it was right, if a Member had acted so fraudulently that the Insolvent Court would not relieve him, that he should not be eligible for re-election.

The Amendment was adopted and the clause agreed to.

Clauses up to Clause 9 inclusive, were also agreed to.

Clause 10 was struck out. The remaining clauses and the preamble were agreed to.

The House resumed.

Bill reported, to be considered as amended on Wednesday 28th instant.

Mr. BERNAL, in reply to his hon. Friend (Mr. Hume), and in reply also to observations which had fallen from another hon. Friend near him, begged to say that he was, for his own part, perfectly persuaded that nothing that could be done with the Bill could remove the faultiness of its principle; and he was surprised to think how his hon. Friend the Member for Dartmouth, feeling as he did upon the subject, could have given the measure his support.

TENANTS AT RACK RENT RELIEF BILL.

Mr. SOTHERTON moved the Second Reading of this Bill, which he believed was unopposed. The object of the measure was to relieve the defects of the present law relating to the levying of rates for erecting and providing county lunatic asylums, and to enable occupiers of lands or tenements having only a temporary interest therein, and who had paid the tax assessed at quarter-sessions by the justices, to deduct one-half of the rate from the rent paid to the landlord.

Sir F. LEWIS approved of the Bill so far as it went, but thought that great advantage would be gained by placing such rates upon the landlords, and not upon the tenants.

After some conversation, in which Mr. Hodges, Mr. Brotherton, Sir J. Duckworth, and some other hon. Members, took part,

The Bill was read a second time, and committed for Wednesday 28th instant.

The House adjourned at Five o'clock.

HOUSE OF LORDS,

Thursday, March 22, 1849.

Minutes.] Public Bills.—*Received the Royal Assent.*—Overseers (Cities and Boroughs).

Petitions Presented. From Hull, that the Rules and Practice of the County Courts may be Inquired into and Revised.—From Thornham Magna, and a number of other Places, for the Repeal of the Malt Tax.—By the Duke of Richmond, from Holderness, East Riding of Yorkshire, for the Adoption of Measures for the Relief of the Agricultural Classes.—From Longstock, for the Repeal of all Enactments occasioning Unequal Competition between the English and Foreign Grower.—By Lord Monteagle, from Donegal, and other Places, against the proposed Rate in Aid, and for the Amendment of the present Poor Law (Ireland).

THE RENEWAL OF THE WAR IN THE NORTH OF ITALY.

The Earl of ABERDEEN rose to move for papers respecting the renewal of the war in the north of Italy. The noble Earl said: I think your Lordships will acknowledge that the present state of affairs in the north of Italy may reasonably call for the most serious attention of this House. My Lords, I have for some time viewed with apprehension the probability of that result in the affairs of the north of Italy which has now occurred. The whole conduct and language of the Sardinian Government, for some time past, only made it too likely that such a result should be brought about. I have, however, abstained hitherto from bringing this subject under your Lordships' notice, and I should have been content to have abstained so long as there was any hope that the conference at Brussels, which was proposed to take place, would give any practical effect to the mediation by this country and France, for the restoration of peace in Italy. I should have done so, my Lords, as long as any the slightest chance existed of success, however inconceivable it might have appeared to me that this conference and mediation could ever have led to any practical result. But those arrangements being at an end, I am now about to move for such correspondence as has taken place between this country and the representatives of Foreign Powers, in order to afford your Lordships information of the steps which Her Majesty's Government have taken with a view to prevent the renewal of this war; for, although we have not heard that the first blow has been struck, we know that the armistice is at an end—that a proclamation of war has been signed—and that theho stile troops are advancing, or are otherwise in motion. I feel it incumbent upon me to make this Motion, because, in my opinion, the course pursued by Her Majesty's Government, both in the north of Italy and in the south, has been deficient in all which sound policy should have dictated, and has been wanting in justice and good faith. Still further am I disposed to make this Motion at this moment, because I think that, a year ago, when the war was first commenced, that war might have been stopped altogether, if proper means had been taken by Her Majesty's Government; or, at all events, I think Her Majesty's Government might have made other efforts to maintain peace. My Lords, it is now just a year to a day since the King of Sardinia, by an act of perfidy almost unparalleled, invaded the territories of his neighbour, his ally, his kinsman, and his benefactor. My Lords, I say "perfidy almost unparalleled," because, for several months, in answer to inquiries and remonstrances from the Austrian Government, the Court of Turin repeatedly declared its earnest desire to cultivate relations of friendship and peace with the Austrian Government; and even on the 21st of March, in answer to the application of the Austrian Ambassador, the Sardinian Government again declared that they had no other object at heart than to live on terms of friendship and good will and neighbourhood with Austria. Yet, on the following day, without any, the slightest, provocation—without a declaration of war—without the slightest allegation of any grievance suffered or injury done, the Sardinian army was ordered to advance into the Austrian territories. But before I touch upon the progress of the war which was thus commenced, I wish to advert to the position occupied by Her Majesty's Government between the two contending parties at that time; and to this part of the case I am extremely anxious to call the serious attention of your Lordships. Your Lordships may recollect that early in the last Session of Parliament, the noble Marquess opposite laid on the table of the House certain papers connected with the territorial arrangements in Italy. Those papers were laid on the table by command of Her Majesty, without any address from this House on the subject, and they were produced by the noble Marquess without any explanation of the object for which they were produced. I confess that, at the time, I was not able to comprehend with what view those papers were produced; at present the motive is not so unintelligible. My Lords, those papers consisted of two despatches from Prince Metternich, dated the 2nd of August, 1847, on the affairs of Italy at that time, in which he declares that the Emperor of Austria, his imperial master, had no other object in view than to defend his own territories from attack, and to rest on the guarantee of those great principles on which the security of the peace of Europe had for so many years depended; and he called upon the British Government to state whether she still acquiesced in those principles as secured by treaty. The answer of Lord Palmerston, Her Majesty's Principal Secretary for Foreign Affairs, given on the 12th of August, was, that—

> "Her Majesty's Government are of opinion that the stipulations and engagements of the Treaty of Vienna ought to be adhered to in Italy, as well as in all other parts of Europe to which they apply, and that no change can properly be made in the territorial arrangements which were established by that treaty without the consent and concurrence of all the Powers who were parties to it."

He further added, that—

> "With reference to the posture of things in Italy, Her Majesty's Government would wish to observe that there is another right besides that of self-defence and self-maintenance, which is inherent in independent sovereignty, and that is, the right which belongs to the Sovereign Power in every State to make such reforms and internal improvements as may be judged by such Sovereign Power proper to be made, and conducive to the well-being of the people whom it governs."

The noble Lord the Secretary for Foreign Affairs made very light, however, of the condition of Italy, and stated that Her Majesty's Government had received no information as to the existence of any such scheme as that which Prince Metternich mentioned as being planned for the purpose of uniting the then separated States of that country into a great federal republic. Subsequent events will have shown whose information was the most correct; but that was a very satisfactory answer, so far as it went, to Prince Metternich. But Her Majesty's Government, moved, I suppose, by information privately received from Italy, or influenced by the violence of Italian journals, took it into their heads to imagine that the Austrian Government entertained projects of ambition and aggression in that country; and had the Austrian Government entertained such projects, undoubtedly it would have been the duty of the British Government to oppose them. I presume that such must have been the case; for in a month after his despatch of the 12th of August, Lord Palmerstonad dressed another despatch, dated the 11th of September, to the English Ambassador at Vienna, in which these representations of Austrian aggression were alluded to—a despatch which concluded with expressing a conviction on the part of the British Government that—

> "Neither with regard to the King of Sardinia nor with regard to the Pope, could the Austrian Government have any intention of converting any measures of internal legislation or administrative reform which those Sovereigns might think fit to adopt in their respective dominions, into an occasion for any aggression whatever upon their territories or rights. Her Majesty's Government, indeed, would deeply regret the occurrence of events which it would be impossible for Great Britain to view with indifference. The Crowns of Great Britain and of Sardinia have long been bound together by the ties of faithful and intimate alliance; and Great Britain can never forget or repudiate claims founded upon such honourable grounds. The integrity of the Roman State may be considered as an essential element of the political independence of the Italian peninsula; and no invasion of the territory of that State could take place without leading to consequences of great gravity and importance."

That, my Lords, is the effect of the papers laid on your Lordships' table by the noble Marquess. Now, the language used takes very much the shape of a threat, in respect to the supposed intentions of the Austrian Government; because when such a country as this says that it will not view with indifference the proceedings of a foreign Power, it is using expressions which, in diplomatic language, are well understood to mean more than the mere words said. Here, then, Her Majesty's Government received great credit for having checked the course of Austrian ambition, and for having put a stop to those encroachments and to that invasion which had been reported as imminent by writers in Italy and other countries, who seem to have influenced the proceedings of Her Majesty's Government. Your Lordships will remember, however, that six months afterwards, after these papers had been laid on the table of the House, my noble and learned Friend near me (Lord Brougham) moved for additional papers on this subject, which might have been received by Her Majesty's Government. It then turned out that an answer had been given by the Austrian Government to the despatch of Lord Palmerston of the 11th September, but of which, up to that time, your Lordships had heard nothing. Now, the answer to that despatch is dated the 27th of September. In that despatch the Austrian Government laid down these principles—that every independent Sovereign had a right to make, within his own dominions, such reforms and improvements as he might judge conducive to the welfare of the people whom he governed, and that no other Government could be entitled to forbid or to restrain such an exercise of one of the proper attributes of independent sovereignty. That was the proposition of our Secretary of State for Foreign Affairs, and the Austrian Government thus made known its assent to it, declaring, at the same time, that it was a principle which it had been the first to proclaim, and which it had held and established at every period of its history. The despatch proceeded to state that explanations had repeatedly taken place on the subject of the alleged aggression between the Courts of Vienna and Turin, and that the Austrian Government had received repeated assurances that no apprehensions of such aggression were either entertained or ought to be entertained by

Sardinia. Reckoning the King of Sardinia among its allies, the Imperial Government expressed its readiness, if required, to place itself by the side of Great Britain to defend that Sovereign from aggression from any quarter. I anticipate, my Lords, that your Lordships will think that this was a very satisfactory reply to the last despatch of the British Government. Now, why had it been kept back? The British Government had been in possession of that despatch for four months before it thought proper to lay the accusation against the supposed intentions of Austria upon the table. Now, my Lords, I am quite certain that the noble Marquess was not aware of the existence of this answer at the time when he laid these despatches from Prince Metternich and the other papers upon your Lordships' table—I say it is not possible for the noble Marquess voluntarily to have produced papers which were calculated to make the impression on your Lordships that we had been the means of stopping an act of aggression and of encroachment on the part of Austria, when, at the same moment, we were actually in possession of a most satisfactory answer—a most decided answer—from that Power to any such imputation. What, then, was there to warrant the course which Her Majesty's Government on that occasion pursued? They must have seen in what position the parties in Italy were placed by the only papers which were produced; they mnst have known they were in possession of an important document, which contained an effectual answer to imputations made at the time against one of these parties; and yet, knowing that they possessed such an answer, it was, nevertheless, studiously withheld. Can we, my Lords — can the Austrian Government—regard such a proceeding as this without feelings of indignation, and without having that indignation painfully increased by the remembrance of the friendly alliance that had long subsisted between England and Austria? But what was the position of the noble Marquess opposite in this matter? The course which has been taken is such as to convey to all an erroneous impression of what was the truth, and he was made a party to the suppression of the truth, which, in its practical effect on the minds of your Lordships, amounted to a palpable falsehood. But, at the same time, I am quite certain that the noble Marquess could not have been aware of the state of these papers when he laid them upon the table of the House—that he was ignorant of the contents of the answer to Lord Palmerston's despatch when he presented the other despatches to the House. The noble Marquess merely laid upon the table papers placed in his hands for that purpose. Every one knows the high character which the noble Marquess has always maintained in this House and elsewhere; and I appeal, my Lords, to your feelings as gentlemen, whether you can for a moment suppose that he is capable of voluntarily conveying an impression which, as I have pointed out, is manifestly false? But at the time when these papers were laid upon the table, I was unable to understand how Austria should acquiesce in such an imputation as the papers then conveyed. Shortly after the war commenced, however, I did ask the noble Marquess whether similar representations had been made to Sardinia, inasmuch as, although it had been given out that war had been avoided by our interference in checking Austrian aggression, and as, on the contrary, the King of Sardinia had entered the Austrian territories, I did ask whether similar representations had been made at the Court of Turin. The noble Marquess on that occasion did say that such a representation had been made at Turin, and gave the House to believe, that although these representations had failed in preventing the war, yet they had been the means of retarding the aggression subsequently made by the King of Sardinia. I am of opinion that the noble Marquess then fully believed what he stated to be the true facts of the case, as my noble and learned Friend near me did also. But my noble and learned Friend (Lord Brougham) afterwards moved for the other papers connected with these transactions; and I must say, from having read these documents, that so far from representations being made which could by any means have prevented the steps taken by the King of Sardinia, there was the greatest possible remissness in doing anything at all; and the little which was done was quite incapable of producing any such effect as the noble Marquess had imagined. Now, the intimation to Austria to which I am referring was dated in the month of August—namely, the 12th of August, 1847—according to the first papers laid on the table of the House; and by the papers presented, in answer to the Motion of my noble and learned Friend, I find that the first intimation of any interference on our part with the proceedings of the Court of Turin, was made on the 13th of March, 1848; so that not one word could have been said during the whole of the autumn and the winter previous to the war, and indeed not a word previous to the French revolution. The first thing which I find does not at all answer the description given of it by the noble Marquess; it is a letter from the Secretary of State for Foreign Affairs, dated the 13th of March, 1848, and addressed to the Hon. Mr. Abercromby, our Minister at Turin, and contains the following paragraph:—

> "Her Majesty's Government have felt great pleasure in learning that the Sardinian Government have determined to pursue that which is the best and wisest course in the present state of things; that they have resolved to give no cause of offence either to France or to Austria, to abstain from any interference in the internal affairs of either, and to maintain a strict and rigid neutrality."

Neutrality in any war between Austria and her revolted subjects in Lombardy. Such was the satisfaction they expressed with the state of things as they then were, and they no doubt believed in this view of them on the 13th of March. But Mr. Abercromby becomes uneasy, and his words betray a lurking suspicion of hostile intentions on both sides. He writes on the 20th of March, 1848, to the Secretary of Foreign Affairs in London, and concludes his despatch by stating—

> "Nobody under the present aspect of politics can reasonably take umbrage at this country for protecting her frontiers from whatever side an attack may be possible; and the armaments she has made are only those which a wise and provident Government are called upon to make by the exigencies of the moment; but to employ them for acts of hostile aggression would be to endanger not only the interests of the House of Savoy, but those of the whole country, and of Italy in general. Such being my view of the present crisis in the politics of this country, I shall conform my language to it on all occasions when talking with the Members of the Sardinian Government; and it will be a great satisfaction to me to learn from yeur Lordships that I have taken ground of which you approve."

I conceive that from this despatch of Mr. Abercromby it is quite clear that at the time of writing it he had received no instructions from the Secretary of State for Foreign Affairs as to the line of policy which he should pursue; for he expresses a hope that the language which he had held, or rather intended to hold, to the Sardinian Government would be deemed worthy of approbation—language, I beg your Lordships to remark, used only two days before the declaration of war against Austria was issued by the King of Sardinia. In answer to that despatch the Secretary of State writes on the 27th of March, 1848, to Mr. Abercromby in the following terms:—

> "You will have seen by my despatch of the 13th inst., forwarded by Count Revel's courier, and which you must have received soon after the date of your despatch of the 20th inst., that in the advice which in that despatch you state it to be your intention to give to the Sardinian Government you were correctly anticipating the instructions which were on their road to you. I have therefore now only to instruct you to hold the same language and to give the same advice to the Sardinian Government, and to impress upon the minds of the Ministers of the King of Sardinia the great risks and dangers of many kinds which they would bring upon their country by involving it in unnecessary and aggressive hostilities with Austria."

That is advice which might have been given to the King of Sardinia if he had been going to engage in unnecessary and aggressive hostilities with any other Power—for all hostilities are accompanied with great risks and dangers—but there is nothing particularly applicable as a warning against the hostilities in which he was needlessly about to engage with a Government with which Great Britain and himself were both in alliance. In the next extract which I shall read from Mr. Abercromby's despatch, dated Turin, the 27th of March, 1848, when the war was actually in progress, I find this statement:—

> "I this morning had a conversation with Marquess Pareto upon the intentions of the Sardinian Government, now that the determination has been taken to advance the Piedmontese army across the frontiers of the Austrian provinces in Italy. The Marquess Pareto stated that this declaration of war against Austria had a twofold object—first, to drive the Austrians for ever out of Italy—secondly, to assist the Provisional Government formed at Milan."

In reply to that despatch Lord Palmerston, on the 11th of April, 1848, wrote as follows:—

> "With reference to your despatch of the 27th ult., reporting on the supposed intentions of the Sardinian Government with regard to Lombardy, I have to inform you that Her Majesty's Government approve the language which you held to the Marquis Pareto on this subject; and I have to instruct you to say to the Sardinian Minister that the conflict into which Sardinia has entered must be admitted to be one of doubtful result, and that the principle on which it has been commenced is one full of danger."

Now, I think, that the noble Marquess will not contend upon these premises that any great effort was made by our Government to prevent the war before it broke out, seeing that everything which was done, however insufficient, actually took place after the war had commenced. Such is the state of the case on the papers which have been laid before Parliament. Well, then, the Secretary of State for Foreign Affairs gives them the advice not to engage in unnecessary hostility. Of the two latest papers which are i cluded among those laid upon the table, one is an extract from a letter by Mr. Abercromby, dated the 27th of March, when the war was already in progress, in which he states that, at a conference with one of the Ministers of Sardinia, the Minister stated that they were determined to advance the army across the Sardinian frontier, and to drive the Austrians out of Italy. Well, the answer to that is contained in the last of these two papers; it stated that Her Majesty's Government approved of the language held by Mr. Abercromby on that occasion; but what the language was which is thus approved of, it does not state. It adds, however, that "the conflict which they have entered into is one of doubtful result." These are the intimations made to Sardinia, and included in the representation made to us by the noble Marquess, which intimations were made after the war was actually commenced, and also when, only two days preceding the declaration of war, Mr. Abercromby states his intention to hold certain language to the Sardinian Government, as if apprehensive of some distant possibility. Now, the noble Marquess must admit that neither any great effort had been made to prevent the war, still less can he imagine that anything was done after the war had commenced which could have retarded it. Yet such are the facts of the case, and so it stands. I will say that Her Majesty's Government have been guilty of most unjustifiable neglect in all the documents which they have transmitted into Sardinia. I maintain, that the attack of the King of Sardinia upon the territories of his ally the Emperor of Austria was most unjustifiable; and yet the advice which our Minister gave him while meditating this aggression, was such only as he might have given him had his cause been the best which ever existed. I find in the documents nothing about the infraction of treaties, nothing about the violation of engagements on the part of the Government of Sardinia; and, above all, I see nothing in the shape of a protest or remonstrance on the part of the British Government against any part of its proceedings. Now, my Lords, you will recollect that the King of Sardinia was not only a party, an acceding party, to the Treaty of Vienna, but that he actually came under specific engagements to this country, as well as to all Europe, to maintain the observance of that treaty; and therefore the violation of it required, on the part of this country, not only the use of much stronger language than had been employed in the papers now on the table; but at the very least it demanded to be met with a formal protest. The terms in which the Sardinian monarch contracted with this country were definite and specific, and also rendered him amenable for all the provisions of the Treaty of Vienna. The Act of Accession of the King of Sardinia to the final Act of the Congress of Vienna, on the 9th of June, 1816, was couched in these words:—

> "His Plenipotentiary declares that His Majesty the King of Sardinia accedes by the present Act to the said treaties, conventions, declarations, regulations, and other Acts mentioned in the 118th Article, which Acts shall all be considered as if inserted here word for word; engaging himself formally and solemnly, not only towards His Majesty the King of Great Britain, but also towards all the other Powers and States, which, either as signing, or acceding, have taken part in the engagements of the Act of the Congress, to concur on his side in the fulfilment of the obligations contained in the said treaty which may concern His Majesty the King of Sardinia."

Therefore, in addition to that violation of public law, and that scandalous violation of peace, without any assignable cause or pretext, there is a violation of the guarantee entered into specially with this country; and the least that Her Majesty's Government could have done, upon such an occasion as that, was to have entered their formal protest. Why, they had a modern example before them of a case somewhat similar, by which they might have framed their remonstrance. Your Lordships will recollect that some time ago the three northern Powers, Austria, Russia, and Prussia, had taken measures by which they deprived the republic of Cracow of certain of its privileges and of its independence. Though those measures unquestionably constituted a violation of the Treaty of Vienna in the opinion of two other of the great Powers, France and England, yet it was a violation trifling and insignificant when compared with that which has been perpetrated in the north of Italy. It was even a matter open to discussion and doubt, for three of the five great Powers of Europe, who have hitherto assumed the control of such matters into their hands, declared that it was no violation of the Treaty of Vienna. These three Powers maintained—and I admit that they had had great provocation on the part of that State, and it was not to be denied that this provocation might have been made a justification for their interfering with Cracow, and in obtaining satisfaction and security for the future; but yet this country protested that it would be a violation of the Treaty of Vienna. France was of the same opinion; and we lost not a moment in entering our protest, our strong protest, against it. That was a precedent which I have every reason for thinking ought to have been followed in this case, which is tenfold stronger than the case in which the three Powers were involved. Now, as much has been said of the Treaty of Vienna, and there appears to be a good deal of uncertainty and difference about the obligations of that treaty, this may be a proper moment for me to state what, in my opinion, these obligations are. I think, then, in the first place, that the Powers, whether contracting or acceding to the treaty, are precisely on the same footing, and are all bound precisely by the same obligations. There is a moral guarantee given by every Power who signed or acceded, to observe, and to cause to be observed, the provisions of that treaty. I think, strictly speaking, that any violation of the provisions of that treaty may be a *casus belli;* but it must be determined by the view which the injured party takes of his own injuries, whether or not the violation should be followed by war; but that some notice ought to be taken of the infraction of the treaty there can be no doubt, either by remonstrance, or by formal protest, or by the withdrawal of the Minister, or by such other modes as may best express the opinion entertained by the respective Governments. I fully admit that neither we nor any other party to the treaty are bound by that moral obligation to make common cause with any party who may feel himself injured; that must depend upon the degree in which our own interests may be endangered, and upon the relations in which we may stand. There is another kind of guarantee contained in the Treaty of Vienna which rests on a different footing. The moral guarantee of which I have just been speaking does not bind us to make common cause with all that are injured; but there is also a special guarantee applicable to the neutrality of Switzerland, and to the possession of certain provinces by Prussia, by which, if the conditions be violated, we should be bound to redress the wrong by war, if necessary. Fortunately, this country has always had a great reluctance to enter into guarantees of this nature, and I hope will always cultivate such a reluctance; for if we enter into treaties thus specially guaranteed, we are obliged in every particular to fulfil them; but there is no prospect that the special guarantees contained in the Treaty of Vienna should lead to any such result. Returning more immediately to the subject before the House, I must remind your Lordships that the remonstrances which Her Majesty's Government made, being of the futile and insignificant description which I have described, could not have any possible effect on the progress of the war. That war, iniquitously as it was commenced, continued at first to obtain greater success than it deserved. The Piedmontese army advanced, took the Austrian army by surprise, and, unprepared for treachery of this description, drove it first back to the Mincio, and afterwards to the Adige, and succeeded in depriving the Austrians for a time of the whole of Lombardy. In these difficulties, and distracted by a revolution in the capital, without resources, without a Government, without instructions, without orders, the Austrian army was for the time completely paralysed. In this emergency, the Cabinet of Vienna, notwithstanding the state of opinion in this country, still relying upon the old friendship and alliance which had so long existed between Austria and this country, sent a special mission over to this country to make overtures and concessions. I see that statements are made in a despatch, published in the newspapers, purporting to be from Prince Schwartzenburg, in reference to that mission; whether the despatch is authentic I know not; I do not know what the particulars are; but I know that the proposals made on that occasion by the Austrian Government were not received as sufficient to meet the exigencies of Her Majesty's Government; Her Majesty's Ministers required still greater concessions, although Austria offered to surrender the whole of Lombardy, and to acknowledge its independence. It, however, did not satisfy the demands of the British Government. Now, that Austria offered to concede the whole of Lombardy is quite clear, because at that time it appears, by a document before the public, that Baron Wessenberg, on the 13th of June, sent a commission to Milan to treat with the Milan Government, on the basis of the independence of Lombardy. The answer made to the Austrian Government, by the Provisional Government of Milan, however, was, that they must have the whole of Italy, and that they had already committed themselves to that, and nothing less. Happily the Austrian offers of concession made to Her Majesty's Government were declared insufficient for England taking up her cause by mediation. I say "happily," for shortly after this, the Austrian army having been reinforced, and a better spirit prevailing in the Austrian councils—although I should not wish to stigmatise the conditions which were offered to the Milan Government by the Cabinet of Vienna, considering the enormous difficulties and the anarchy and danger into which they were plunged at home—I say the Austrians, soon after, taking courage assumed the offensive, and from victory to victory pursued their enemy to his own frontier, and by a series of brilliant operations the campaign was brought by Marshal Radetzki to a successful termination. I think the whole conduct of that veteran commander was such as to entitle him to the highest credit, for it was as much distinguished by his ability in the field as by his moderation after victory. The veteran marshal exhibited as much vigour and activity throughout that remarkable crisis as when I saw him myself at the head of his victorious hussars five-and-thirty years ago. On arriving at the frontier, in the exercise of prudence, or generosity, or both, he abstained from following his feeble enemy into his own territory; on the application of the King of Sardinia he granted an armistice, with a view to the establishment of a real peace—a peace which, in all probability, would have been easily effected, requiring but little time for its accomplishment. But, in a few days, the Government of England and of France offered their mediation. That, of course, was gladly accepted by the King of Sardinia; and after a short time, though not so very naturally, it was accepted by Austria, with the understanding that the basis of the mediation was to be the subject of consideration between the two Powers. This mediation was most ill-timed, and most unequal in its operation, and offered no prospect of a satisfactory issue. When two Powers are engaged in war, very naturally and very laudably a third Power, allied to both, offers to mediate, with a view to facilitating their return to peace. The mediating Power may possibly be swayed by interested motives, and justice and impartiality may be sacrificed; but, at least, the action is simple, and the result speedy. When, however, two Powers offer their mediation, it is of the greatest importance that their interests should be identical. It is quite clear that England and France were both sincerely desirous of the return of peace; but it is not quite clear that the interests of England and the interests of France were identical, or that they agreed in anything else. On the contrary, the interest of England has always been to see North Italy reared into a barrier as strong as possible. This was the effect of the Treaty of Vienna in bringing the great military power of Austria in contact with the keeper of the passes of the Alps. Sardinia was greatly strengthened by the addition of Genoa, and the Imperial Fiefs, and the barrier was compacted along the frontier of the Alps. It was the interest of France, however, to weaken that barrier, and that never could be so effectually done as by weakening the power of Austria. I therefore think the prospect was unpromising of a satisfactory issue to the mediation, even if it had been undertaken on the most practical grounds. But when one comes to look at the mode in which these conferences and negotiations were intended to be carried on, it became evident that no permanent successful result could arise from them. It is easy to see a reason why Austria, from the first, was not disposed to concede a single inch of that territory which she had maintained by such efforts of courage, and at such sacrifices to herself. Indeed, I do not see why we might not have held the same language as we did in the late civil war in Switzerland, when, according to all appearance, with rather more ingenuity than good faith, we contrived that that war should be over before the mediators met, and then we said, there is no more need of mediation, for the war is at an end. Here, too, it might be said that the war was at an end; and the King of Sardinia, without any further pretext, might consider himself fortunate to have escaped as he had. Well, then, the war, after a cessation now of some months, has been renewed; and I sincerely hope, and fully believe, that this repose will not be found to have impaired the vigour and energy of Marshal Radetzky. I cannot possibly doubt that on this occasion Her Majesty's Government have made somewhat more strenuous efforts to prevent that renewal, than they made at the first breaking out of the war. What, then, is it which Her Majesty's Government propose to do under the present circumstances? I maintain that such is the character your double policy has obtained for you in Italy, that it is impossible for you to expect any one of the other Powers to believe your sincerity in objecting to the war undertaken by Sardinia, seeing the special engagements entered into with this country, as well as the gross violation of the Treaty of Vienna; and, in addition to this, seeing the contempt in which the King of Sardinia holds the mediating Powers, and that mediation itself—I say I know no one who would believe you sincere, unless you recall Her Majesty's Minister from the Court of Turin. Of the unprincipled conduct of the King of Sardinia the world are satisfied. I have read the voluminous manifesto in which the Sardinian Ministers have attempted a justification of the course they have pursued; and I will say nothing further of it than that it is a Jesuitical compound of facts misstated and audacity unparalleled. It is full of fine words — it speaks of good faith, justice, and honour. One would think that these words should have paralysed the fingers which wrote them. In it the King of Sardinia rejects all treaties, ancient and modern — quite forgetting apparently that it is by treaty he holds possession of Genoa, and of those fiefs which had been so long the object of his house; and that but for the Treaty of Vienna — that treaty he has now so grossly violated — he would at this moment see his dominions circumscribed to his island of Sardinia, and would never have been allowed to obtain those possessions which had been acquired for him by Austrian arms. The document shows the desperation and madness of his government. The justification pleaded for the war in this document is the violation of the armistice on the part of the Austrians, when it is notorious that the very first violation of it was committed on the part of Sardinia, in a most flagrant instance, when the Sardinian fleet continued in the Adriatic, contrary to the express stipulations of the armistice. This production will, no doubt, be speedily answered by the Government at Vienna in the manner which it deserves. There was one passage in the manifesto, however, which contained the whole pith of the document. "Having," they say, "weighed all the chances, examined the remote and immediate causes of the last events, the Sardinian Government has come to the conviction that it is not less necessary for Upper Italy than for the whole of the Peninsula, to be delivered from the present state, in which, otherwise, the most important conditions of political and social existence would be placed in jeopardy." Now, my Lords, this, divested of the verbiage in which it is involved, to use a homely but expressive English saying, is neither more nor less than "needs must when the devil drives." This unhappy Sovereign is impelled by a force greater than himself. He is made an instrument in the hands of others, who are as hostile to him as they are to Austria; and if he were to succeed in driving the Austrian army out of Italy to-morrow, his difficulties would only then begin. Now, my Lords, there is one matter worthy of observation in this manifesto. With all that the manifesto contains, we have heard nothing about the slavery of the Italian subjects of Austria. We used to hear a good deal about the "leaden sceptre" and about the "iron rule" of Austria, and such like phrases. But I believe the Austrian provinces have long been the best governed of all the provinces in Italy. They had no constitutions or constitutional liberty; but property was secure in them, and justice was administered between man and man with as much fairness and impartiality as in any country in Europe. The police was excellent, and the prosperity of the country was great and increasing. But moreover, my Lords, the subjects of Austria in Italy will shortly have a constitution as free as heart can desire; and I only hope and trust they may be as happy and as prosperous with their constitution as they have been hitherto without one. However, that constitution they will have; and I cannot help, taking this opportunity of expressing the joy I feel, that the Austrian empire possesses statesmen who have the boldness and the ability to frame such a constitution at this time. Some, indeed, there may be who may think the Austrians need not have gone so far as they have to procure a foundation for a free constitution—that they need not have crossed the Atlantic for a model. Nevertheless, my Lords, I honour their courage, and I give them credit for knowing what is best adapted to the wants of their own country, and what is most likely to be successful. I rejoice to see that this noble work—for noble work it is—is likely to be promulgated in Italy as well as in other parts of the Austrian empire; and I hope, for the sake of Europe, and especially for the sake of this country, that Austria will, under this new constitution, enter upon a long career of happiness and glory. If the noble Marquess shall tell me that the correspondence for which I move cannot be produced at this moment with convenience, I am perfectly ready not to press for its production. Some time or other, I presume, it will be thought fitting by Her Majesty's Government to produce it, as well as other matters explanatory of the whole of the proceedings connected with the war. But I thought that, considering what has taken place, and considering the great deficiency of information before the occurrence of the war in the first instance, it was incumbent upon me to move for this correspondence now. I am, however, perfectly willing not to press for its production at present, if the noble Marquess should think it would not be beneficial for the public interest to lay it upon the table.

The MARQUESS of LANSDOWNE: My Lords, I heard with great satisfaction the declaration with which the noble Earl concluded his speech, namely, that he would not press for the production of the correspondence, if assured by Her Majesty's Government that it would be an inconvenient step. That declaration has relieved me from the necessity, under which I should otherwise have lain, of troubling your Lordships at some length upon the particular points relating to the production of the papers for which the noble Earl has moved, and of showing to your Lordships — that which indeed it would not have been difficult to show, if the noble Earl had not himself, in some degree, anticipated me—that this is precisely the moment at which the production of those papers would be attended with the greatest inconvenience. In fact, it is not till all negotiations are at an end, until actual recourse has been had to arms—it is not until the consequences of all that has passed are fully developed, and that all the efforts that have been made to suspend the horrors of war have proved unavailing—that the British Government would be justified in making that explanation, which, if made at all, should be a most ample and complete justification of their conduct and proceedings. But, my Lords, I feel it necessary to offer a few remarks, which shall be as short as possible, upon some of the observations made by the noble Earl. The noble Earl commenced his speech by adverting, not to any recent negotiations—not to any papers which he is now desirous of having laid upon the table—but to papers produced at a former time; papers which were last year laid upon the table of the House, and this for the purpose of deducing a sort of accusation against Her Majesty's Government, that at an early stage of these proceedings a disposition existed upon their part unfavourable to the Austrian Government. Now, I do not admit that any such inference can be fairly deduced from those papers. The noble Earl will remember that upon the former occasion the statement he made was entirely different. And here I must say that I have some reason to complain of the noble Earl throughout the entire of his speech professing to connect these papers, which have been already laid upon the table of the House, with certain future papers about to be so laid, but which have nothing in common but that they all relate to Italy. The noble Earl seemed totally to forget, or, at all events, he suppressed, so far as avoidance of the subject could suppress it, that, in the interval between those negotiations about which he now requires to be informed, there had occurred one small event, namely, the revolution in Paris. And I am sure I need only appeal to the sound judgment of the noble Earl, and, perhaps, to the statesmanship which I admit he is at all times able to display, whether there was any possible event more likely than that revolution to cause the line of conduct existing between one country and another to be altered and modified, or, at least, to undergo a careful review? But, my Lords, the noble Earl has expressed his surprise that a despatch which he says he has seen, had not been laid upon the table with the other papers.

The EARL of ABERDEEN: I said that I saw it when it was laid upon the table, but that I never saw it before.

The MARQUESS of LANSDOWNE: I understood the noble Earl to refer to a paper which was not presented or laid upon the table.

The EARL of ABERDEEN: No, no; I feel that if I could make this matter intelligible to your Lordships, I have only to appeal to you as gentlemen. The noble

Marquess produced, in the first instance, those despatches which ended with a despatch to the Court of Austria, containing a threat against Austria for her supposed interference in the internal affairs of the Italian States. That was a threat which might have been deserved; I don't believe it was deserved; but I say I admit it might have been. Well, six months after the impression had been made that we by our zealous interference had protected Sardinia from Austria, it appeared that Austria had sent an answer at once to that despatch, in which she not only denied entertaining any such intentions as had been attributed to her, but declared she was ready to act in conjunction with Great Britain. Now I call it a *suppressio veri*, when the Government had not produced that despatch, while they had produced the other.

The Marquess of LANSDOWNE: But that *suppressio veri*, as the noble Earl calls it, was actually laid upon the table the moment it was called for.

The Earl of ABERDEEN: It was not produced for six months after the other papers.

The Marquess of LANSDOWNE: It was produced the moment it was called for.

Lord BROUGHAM: But it was produced in consequence of my Motion, not of the noble Earl's.

The Marquess of LANSDOWNE'S rejoinder to this observation was inaudible. He proceeded: At the time referred to, could any one say that there was not ground for apprehension that Austria would interfere in the peninsula of Italy, for the purpose of preventing the extension of constitutions to the various States—constitutions of less freedom than that which Austria has since given to her own subjects, and which the noble Earl himself seems now to think an inestimable boon. My Lords, it is fortunate for the world that Austria has discovered that it is a boon; and I am happy to find that the noble Earl has discovered that it is a boon likewise. But, my Lords, I say there were numbers of people then in Italy who believed themselves justified in thinking that Austria would not permit free constitutions in the Italian States bordering on her Italian possessions; and I am therefore justified in saying that the apprehension existed in Italy, and that Her Majesty's Government acted properly in removing that apprehension. In so doing, there was nothing in their conduct hostile to Austria. The despatches stated fully and explicitly what the views of this Government were with regard to independent States; and on looking back to the despatches, and contemplating the condition of things which then existed, contrasted with the great change of circumstances which has since taken place, I must say I see nothing in our conduct by which I am not prepared to stand, and by which I am not ready to abide. But, as I stated a few moments ago, a change came over the world which entirely reversed the order of things throughout Europe. The danger that was apprehended in Italy before that time was from the interference of Governments with the independence of States; but after that which took place at Paris, which impressed the whole world with alarm, and imposed upon this country new duties, and a new mode of executing those duties—I mean the revolution, with all its consequences—the danger which arose was, that a democracy without a throne would overturn all the crowns of Europe, spreading from France, establishing an influence and a power which it would be afterwards difficult to guide or regulate. My Lords, I say that under such circumstances it was wise, for the purpose of securing the world from the sudden irruption of revolutionary doctrines—and no more safe, and salutary, and certain expedient could be devised—that such an understanding should be established between the Governments of France and England as would make it impossible for France to act alone. By not compelling France to act alone, we have avoided those dangers to which I have alluded, and in the apprehension of which I am satisfied the noble Earl concurs. But the noble Earl's reason for not coming to an understanding with France, or not assisting in any plan of joint co-operation with France, is really singular. For he says, "I admit that France and you had, at the moment, the same interest in preserving peace in Italy, and that you had a right to believe that the French Government was quite ready to do everything to assist you in good faith." But the noble Earl then says that the motives of each were somewhat different. Because, "had there been war in Italy, France would have been obliged to take a different course from you." Why, surely, my Lords, that is the very best reason we could have for endeavouring to preserve peace, and for preventing war. But, up to the point of preserving peace as long as it could be preserved, France was prepared to act with us; and yet the noble Earl thinks it was bad policy for France to be joined with us. My Lords, I, for my part, rejoice in the co-operation of France, and I am not willing to part with that co-operation. I am not prepared to think it of so little value as to be carelessly thrown away. There never was a period at which I thought the co-operation of France more important than at present. There never was a time when it was more desirable—when it was more desirable that there should be a co-operation, not of the Government merely, but of the people of France and England. It is to that co-operation, which I hope will continue uninterrupted, that we must owe the peace of Europe. The noble Earl has a right to comment upon that which he has heard. But commenting upon papers before they have been produced in this House, is surely an inconvenient course to pursue; and the noble Earl has adopted a proposition with regard to the proposed mediation upon which I shall have a few words to say. He has stated that the terms that were proposed by Austria as the foundation of the mediation, were not such as to satisfy the exigencies of this country. Why, where does the noble Earl find that we had any exigencies to be satisfied? I defy the noble Earl to point out anything which could justify his assertion. I defy him to produce his proofs. I say that throughout these transactions this country tried to act as a fair and impartial mediator. And what the noble Earl calls—invidiously, I must say—the exigencies of this country, were merely communications from this country, and the terms upon which England thought the mediation might prove satisfactory. Would the noble Earl, who has had so much to do with mediation, and who may have so much to do with mediations hereafter, enter upon one between any two parties upon any other ground than the ascertaining what each party was likely to agree to. For if you undertake a mediation with the knowledge that no concession would be made on either side, there is an end to all utility in the negotiations. Two parties have got into a dispute, and are desirous to make peace; and the intervention of a third party is wanted for the purpose of arranging those concessions which otherwise cannot be proposed by either, as neither can brook to yield a point to the other. If ever such a case was perfectly exemplified, it was that of the dispute between Austria and the house of Savoy. The conflict which had existed between them was characterised by the fiercest, the most sanguinary animosity, not only between the Governments, but between the nations themselves. And it was at that very moment, when the honour of each Cabinet was supposed to be compromised in the issue of the contest, that it was imagined that the interference of the two Powers, France and England, might enable the parties, with greater credit to themselves and greater satisfaction to their subjects, to come to a mutual understanding. Well, then, the noble Earl seems to think that we gave an undue preference to Sardinia, and to suppose that we did so in the belief that Austria was far weaker than she really was. It might be imagined, from the noble Earl's observations, that it was not Austria herself who, previously to the commencement of the mediation, had proposed to separate Lombardy from her empire. The noble Earl has alluded to a document which has been circulated relating to the communications which then took place, which document states that the proposition of Austria to abandon Lombardy was never made, and was never acquiesced in by Austria. I shall put the seal upon that despatch, by saying that instead of its having never entered into the thoughts of Austria to detach Lombardy from her empire, that was one of the concessions which M. Hümmelauer agreed to. And when M. Hümmelauer broke off the negotiations, it was not upon the question as to the separation of Lombardy that there was any difference. I am stating that which it is very important that the public should know. In order that there may be no further repetition of the allegations as to the propositions contained in that spurious despatch, that Austria was ready to detach Lombardy, the very best proof is to be found in the very despatch to which the noble Earl has alluded, that from Baron Wessenberg; and we have in our possession now a despatch which proves that when Baron Wessenberg was sent by Austria to open the negotiations at Milan, the basis of those negotiations was the detachment of Lombardy from the Austrian empire. [Lord STANLEY: Hear, hear!] The noble Lord opposite cries "Hear, hear!" as if all this was never brought in question.

LORD STANLEY: That statement—["Order, order!"] I have been distinctly referred to by the noble Marquess, and I have a right to explain. I say that that statement has been expressly made by the noble Earl in his speech. [Lord ABERDEEN: Hear, hear!]

The MARQUESS of LANSDOWNE: And I as expressly state that the noble Earl has said that he knew not whether the despatch bearing the supposed signature of Prince Schwartzenberg was a spurious document or not. One would think, from the manner in which the noble Lord talked, that it would be charged against this country that we had proposed the separation of Lombardy from Austria. Not a day passes in which this charge is not made; and if it be not contradicted it will pass current for truth; but if properly and completely denied and disproved, we shall hear no more of such despatches going through Europe as if authentic and real. It may do very well to prepare adulterated papers and adulterated despatches that may be fit to supply the columns of newspapers, and may even answer for the whispers of drawing-rooms, but they are not fit for your Lordships' ears. We have had no wish to separate Austria and Lombardy, but the contrary. Nor have we wished to give over Lombardy to the Government of Sardinia. I say it could hardly have been foreseen that any such attempt would have been made; and it never would have been made but for the French revolution. No one could have foreseen the occurrence of the French revolution, which diverted into new channels all the political ideas of Europe. But from the moment that Mr. Abercromby, our Minister at Turin, took upon himself to express his entire disapprobation of the occurrences that took place, to the present time, no attempt has been omitted by Her Majesty's Government to induce the Sardinian Government to pause in the course of what I must now call injustice as well as great impolicy which had led her to covet the possession of Lombardy. When the papers are produced, your Lordships will see that warning was given of these events. You will find more than this—that among the different communications which took place between the two Governments of France and England and Sardinia, not only was warning administered on the part of England, but as often and as especially by the Government of France was warning given, in, if possible, still more emphatic terms; and, my Lords, if there is any chance, I may almost say if there is the continuance of a chance—because it is still possible, though barely possible, that hostilities may even yet be averted—if the continuance of such a chance still remains, it is through the exertions and the efforts of the French Ministry, specially employed in exhorting the Sardinian Government to consider the course which they are about to adopt, and assuring them that in that course they will receive from France, as from England, no support, no countenance, and no assistance whatever. My Lords, the papers for which the noble Earl has moved will shortly be laid before the House — they certainly will not be delayed many days — and then the questions put by the noble Earl shall have an answer. I cannot sit down without stating that I am ready to admit that in much of what the noble Earl has stated with respect to the conduct which the Government of Sardinia is now pursuing, I am ready to agree with him, as it is a course which we have endeavoured, as far as it was in our power, to induce the Government of Sardinia not to pursue. At the same time I am not prepared to make use of the strong language which the noble Earl has applied to the course taken by that Government, because I cannot but recollect that the state of Europe has been such as to afford, I will not say a justification, I need hardly say an excuse, but I may say something like a palliation for the course and for the systems of action adopted by that Government, which, under ordinary circumstances, would have been altogether unjustifiable. It is easy for us in this country to blame the Sardinian Government; it is easy for the noble Earl to indulge in speculations as to what was the course they ought to have adopted; it is easy for those who are so disposed, to sit down and apply to all the events of the last year the strict rules and habits of diplomatic intercourse and international relations. But I submit to your Lordships what may be a defence, not of the Sardinian Government only, but of almost every other Government in Europe—I submit to your Lordships that during the time when those Governments felt the ground to be upheaved beneath them, and saw the clouds of the sky to be lowering above them—when they were threatened, some with immediate, others with more remote subversion and destruction, we must not too severely scrutinise, or in too nice a spirit of criticism review, the course which they have taken under such circumstances. I do not know what Government that was so affected by late events could stand such a test. Even that Government to which we are now particuliarly adverting, and which I respect and esteem as one of our oldest friends, and which in very difficult times has been the warm and close ally of England—the house of Austria—for I have already had occasion to state to this House my opinion of the natural connexion that exists between the interests of that empire and this country—I do not know that that country, acted upon as it has been by the events of last year, has exhibited to the world a course of conduct consistent either with the tranquillity of Europe or of Germany. But I do not condemn them on that account. I know that an empire so situated is bound to respect the feelings and even the prejudices of a great mass of its subjects. But if such Governments, under the pressure of these events, have been driven out of their habitual, and proper, and ordinary course, some allowance ought to be made for the smaller Governments, and for the heads of those Governments, when they were driven by late events into positions where they could not restrain the ardour and impatience of their own subjects, though, I admit, that on strict principle it cannot be defended. I say this, not because I feel that it is any justification for the conduct of the King of Sardinia, in renewing the war at this moment, but because I think some allowance ought to be made, under the circumstances of the case. I lament that there is now a stop put to the progress of that mediation to which they have been taught to look. I lament especially that the Government of Austria, which was the first that assented, as it did most clearly, to mediation, and which has given the strongest proof of its assent, in the despatches now read, should now—though for the last six months it has assented to that mediation—when the mediation is about to take place, and when the Plenipotentiaries appointed by other Powers have assembled to join in it, that Austria should, up to a short time ago, have withheld that nomination of its Plenipotentiary, which is necessary and proper to give effect to the mediation, and has thus given, I will not say a sufficient excuse, but at all events a pretext to that Sovereign, who has no power to control his own subjects, for renewing this unnecessary and most unfortunate war. I wish much that that pretext had not been given. But if war should take place, I can only say that we have done everything which our power and our exertions enabled us to do in order to avert it; and, looking to the future, I hold it to be of the greatest importance, and the most admirable security for the future restoration of peace, that we have now the evidence that two countries—countries I will not say the greatest in the world, but which are admitted to be among the greatest in the world, have exhibited and felt an interest in the continuance of universal peace; and, persuaded as I am, from what I have seen, that not only the Government but the people of France are deeply impressed with the conviction that their honour and prosperity will be more consulted by the preservation of peace and the improvement of their own internal condition than by any disturbance in Europe, I look forward with confidence to the time when, by the united exertions of these two countries, by their maintenance of the same policy, and having peace for their sole and ultimate object, the general peace of Europe will be restored and preserved. In conclusion, I have no difficulty in assuring the noble Earl that the papers for which he has called will be furnished, perhaps immediately, and, at all events, that they will be laid on your Lordships' table at no distant period.

Lord BROUGHAM said, he would not trespass long upon their Lordships' attention, after the full and clear statement which his noble Friend near him (the Earl of Aberdeen) had made of the whole case in his very luminous speech. He only rose to set right, in one respect, his noble Friend who last spoke (the Marquess of Lansdowne), and who did not appear to be in possession of all the facts of the case. But first he would say, that he heartily agreed with the two great propositions laid down by his noble Friend opposite: first, in respect to the infinite importance for the peace of Europe, as well as the best interests of this country, that they should preserve unbroken a good understanding with France; and he gave his noble Friends opposite all credit now, as he had done on the first night of the Session, for their well-meant though unsuccessful junction with France, even on that otherwise doubtful ground—the Sardinian mediation, of which he never could entertain any sanguine hopes. He, next, entirely agreed with the noble Marquess in his proposition, in which, however, his noble Friend near him went as far as he did, as to the infinite importance of retaining their old-established alliance with the House of Austria—an alliance not only in accordance with the ancient policy of this country, but also in accordance with the tenor of treaties from which honour and good faith required that we should never swerve. He was entirely satisfied with the doctrines laid down by his noble Friend opposite on this cardinal point; but he certainly wished that the Government of which his noble Friend was the representative in that House had attended a little more to those sound English as well as European principles of policy and good faith towards Austria in the month of September, 1847, and been then guided by the principles they now avowed, when he really did think that the negotiations, as given in the distinct and lucid narrative of his noble Friend near him, which took place at that period, did indicate anything rather than a spirit of kindness towards Austria—anything rather than great tenderness towards either our own honour, or the interests, or the feelings of our old ally—anything, he might even say, rather than a wish to hold the balance even between the two parties of Sardinia and Austria; because he thought it was perfectly manifest that they had dealt out a very large measure of justice towards the one, and a very scanty measure towards the other. Only compare the language of the two despatches of the 11th of September, 1847—the two despatches, one to Sardinia, the other to Austria. To Austria they said—"At your peril interfere in Italy"—for it amounted to that. In ordinary language that would be the expression—diplomatic courtesy expressed itself usually in gentler terms, but quite as significant. It was just this—"If we, England, see that you, Austria, presume"—no, he begged pardon, that was too strong a word for diplomacy; it was—"if we, England, see that you, Austria, assume"—that was the diplomatic language—"if we see that you assume to act in Italy in such a way as to offend the popular party—if you interfere between the Governments of Italy and the peoples of Italy—if you make a cause of war to arise out of the fact of liberal institutions being granted to the peoples of Italy by their sovereigns—take you notice from us, that we, England, will not view this with indifference." It was neither more nor less than this:—"If you, Austria, interfere in Italy, we, England, will use force to prevent you. We give you notice, in plain language, we threaten you if you interfere in Italy." But what did we say to Sardinia? Did we say, "If you choose to break the peace which you have sworn to keep—if you commit an infraction of the Treaty of Vienna, which gave you Genoa, and Novara, and indeed Chamberry, and in fact Piedmont, because, but for that treaty, you would have been thrown back upon a barren island, and a savage people, and a pestilential climate, instead of possessing, as you do now, a fertile country, peaceful and civilised subjects, and the most salubrious climate on the face of the earth, if not the most delightful—if you choose to break that treaty to which you owe such inestimable advantages—to which you owe, in fact, your Continental existence among the Powers of Europe, and, instead of being relegated to Lilliput, are a Power in Europe"—if you do this, what would happen? Did England threaten—did she hold out any menace—did she tell Sardinia that she would not remain indifferent? No, nothing of the kind. She barely told Sardinia, as her confidential adviser—"We think you are pursuing a dangerous career—you are reckoning without your host—you are likely to have the worst of the bargain." But there was not a word of threatening. Now, this was not the language they held to Austria. They did not say to her—"If you interfere in Italy between the people and their sovereigns, and attempt to intercept the liberal institutions which the princes are disposed to confer on their subjects, we think you are unwise, and that you are pursuing a course which you will afterwards have reason to repent." No such thing; but they said, "If you interfere in Italy, we shall look upon it as an infraction of the peace, and we shall probably go to war with you in consequence." Therefore, he said again, he wished that the same friendly feelings towards Austria, their old and best ally, had prevailed in September, 1847, as on the 22nd of March, 1849. Now, with regard to the despatch from Austria, in reply to the one from the English Government, he was quite willing to acquit his noble Friend opposite of all intention of wilfully suppressing any such document, because he was perfectly assured that his noble Friend was altogether incapable of lending himself to such a proceeding. But the very justification of the proceeding which his noble Friend had offered, showed that he was not acquainted with the circumstances—that the particulars were not within his knowledge. Therefore, he (Lord Brougham) would explain it to him. The case was shortly this. The Government was said to be at the time in pursuit of Continental popularity—

such was the charge; but possibly they might be actuated by a sincere desire to maintain the independence of Italy; but, being at the time in full quest of liberal popularity in Paris, and Milan, and Florence, and Rome, and Naples, the Government produced a despatch which held them up to the admiration of all liberal parties on the Continent—which exhibited them as deserving the gratitude of all liberal parties—which held them up to the well-merited approbation of the Milanese coffee-house politicians—which held them up as the champions of the Mazzinis, and Sterbinis, and Mammianis, and Garribaldis, and Guerrarris, *et id genus omne*, down to the very *gueux*, to whom some of them were reported to have waved flags from balconies, and shouted "Live Italian Independence!"—they were held up as threatening Austria with England's imperial displeasure if she presumed to intercept the liberal institutions granted by the Italian sovereigns to their peoples. Liberal institutions granted by sovereigns at a moment when Europe generally was in a state of revolution! They took credit to themselves for that. They were in the mouths of all the men in Italy—of all the red party in France—as the most liberal Government in the world—as the only one that would interfere with the iron or the leaden rule of Austria over Italy. But after they had obtained all this honour and glory, what happened? It turned out that all the while they were in possession of a despatch, dated the 27th of September, which was the identical answer to the identical despatch dated the 11th of September. What did that answer say? He supposed it said something justifying the despatch to which it was an answer; that it said, "We are very sorry you have written this letter; we did intend to interfere all the world over against liberty; we had resolved to take all measures to prevent the sovereigns of Italy from conferring constitutions upon their subjects; we had resolved to march the Austrian columns throughout the Italian peninsula, to put down free constitutions, and to set up the cause of absolutism; we had resolved to attack your Sardinian favourite; but now that you have interfered, we see the whole thing is up, and you have the credit of being the saviours of the world, and the defenders of Sardinia." But it turned out to be unhappily the very reverse of all this. It turned out that the despatch of 27th September, in answer to the glorious liberty-mongering despatch of the 11th September, stated, in substance, "You are labouring under some hallucination of the brain; some one has been deceiving you; they have been making some game of you; we have not the shadow of a thought of the kind you impute to us. Far from interfering with the liberties of Italy, we wish them joy of them; and, as regards Sardinia, we are as friendly to Sardinia and to the independence of that kingdom as you are; and we are resolved to side with you, and to stand or fall with you, in maintaining the independence of Sardinia and the integrity of the sacred Treaty of Vienna." The first despatch was widely published, to the honour and glory of those who made it public, and who made and wrote it. But the second despatch, which made the first a fraud—an absolute delusion and a fraud—was carefully concealed—for how long? Oh, said the noble Marquess, it was produced as soon as it was moved for. Yes; but it was not forthcoming till he (Lord Brougham) made a Motion for it in August last; and then, no doubt, it was quickly produced; but that was because he told them he did not care a straw whether they produced it or not, for he had at the moment a copy of it in his pocket, and should read it—and then it was produced, no doubt. Now, how did the case stand? He should, to explain the matter, put it as between private persons. Suppose that he wished to win the favour of a particular individual, and, to do so, told him "There is another party who is determined to commence a lawsuit against you; I have done everything I can to prevent him, to save your estate from seizure and your person from imprisonment. I have written to him to say, Sir, if you presume to bring an action against my good friend, Mr. So-and-so—if you attempt to seize his estate, or to secure his person, I give you notice he is my friend and ally, and, therefore, I warn you to give over all thought of commencing this lawsuit; for if you persevere, you will find that you will have to contend against me and my purse as well as my friend and his small means." Suppose that he showed this letter to the individual; why, he would go down on his knees to him, and exclaim, "My dear Sir, you are the most delightful person in the world; you are a friend indeed, as you have proved a friend in need. I should have been a ruined and undone man but for you, I and all my family—but for you we were surely undone. How can I express my gratitude? Do with me whatever you please. My interest is yours—at all elections I am your servant." But suppose that some seven or eight months afterwards it should turn out that this true friend had a letter in his pocket from the individual who was said to be about to commence the lawsuit, saying, "What is the matter with you? You are labouring under some hallucination. I never meant to commence any lawsuit—it was farthest from my intention; on the contrary, I had determined to give whatever your friend the defendant wishes for—in fact, he is my friend as well as yours, and I would stand up with my life and fortune to see him righted, were he from any quarter threatened with wrong." Now, if that letter was produced, would it not place him (Lord Brougham) in a very awkward position? Would not the gentleman be apt to say, "Dear me! this must be a very odd sort of man, to alarm me with a lawsuit which never existed even in intention? He must be a very knavish person to cheat me out of my thanks—a very malicious person to charge my other friend with a design to work my ruin." He must be under the guidance of the eminent individual named by the noble Earl to-night—and who is said to be the father of misrepresentations. But it was very much the same course that had been pursued by the Government. There were some men who never could let well alone, and there were others who never could let ill alone. As the one party generally ended by making well bad, so the others seldom left off without making ill worse. Such was the case, he was sorry to say, with the noble Marquess, who was not satisfied with the case as it stood; for he went on to say, that a very awkward impression had gone abroad all over Italy—an impression that the Austrians were opposed to all free institutions—that they were against the people and for the princes; and that they were determined to prevent the people getting the benefit of the free institutions granted by their sovereigns. Well, then, was not that, of all reasons, the most convincing reason for producing, and not for suppressing the second despatch, in order to do away with this false impression? Yet the despatch was not produced, God only knew why; and it was possible that other being, who was said to be the author of all mischief, did know; but still no reason had been given why this despatch was not produced. On the subject of the Sardinian war, he partook of the anxiety of his noble Friend opposite, for though he did not doubt what the result would be to Charles Albert, he thought this collision a very bad thing for the peace of Europe, because at a moment like the present, when one stone fell out of the arch, no man could tell how much would crumble down, or how soon we should be involved in a general war. He felt anxious on this subject—at the same time he felt that the King of Sardinia was now more to be pitied than to be blamed. With regard, indeed, to the extenuation which the noble Marquess had offered on behalf of that King, he must say, he would have listened to it with more deference if it had not been for that monarch's past conduct. If his noble Friend (the Marquess of Lansdowne) did not know, it was well known to the noble Viscount at the head of the Foreign Department, that King Charles Albert's designs were not of so recent a date as the noble Marquess had represented them—that his designs upon Italy were neither of so recent a date, nor very moderate, nor framed on anything like justifiable grounds. His ambition was known. To that ambition he had sacrificed himself in 1820 and 1821, and had led to the destruction of many of his adherents. He had conspired against his kinsman and lawful prince, and that being discovered, his accomplices in the conspiracy paid the penalty of his crime with their lives, though he himself escaped. His ambition after that was not gratified by his becoming the successor of that prince, which he was in virtue of the Treaty of Vienna. He was not satisfied with that arrangement, and he commenced a series of intrigues, of which the records of our Foreign Office contain the history. His purpose was by little and little to undermine the arrangements of 1815, and to unsettle the law of Europe, which, ever since that period, like the Treaty of Westphalia, and the preceding Treaty of Olwa, had been the statute law of Europe. He then ventured to break the peace which had existed ever since the Treaty of Vienna; he went to war with Austria, and that for the sole purpose of extending his own dominions. It was impossible, therefore, to make the same excuse for him now as if he had not been guilty of these previous aggressions. Nevertheless, Charles Albert was now comparatively in a state which made him an object of commiseration, for he was not the author of the present proceedings in Austrian Italy. Their Lordships might depend upon it that he had no more will in those matters than they had, and that he was as much opposed to them in his heart as their Lordships were. Indeed, he ought to be more against them, for his interests were far more deeply concerned than any stake their Lordships could have in them. His troubles had only now begun, for he was in the hands of a set of the most reckless and implacable tyrants—the rebellious parties in his States—the allies of the profligate, the bloody-minded Red faction in Paris, and aided, as had been the case everywhere of late years, by exiled Poles. He grieved to say it, for no man had ever more earnestly supported the Poles than he had done, according to the small measure of his ability; no man had ever more zealously made head against the cruelties and oppressions practised against that unhappy country, and of which those men were the victims. But, in common justice, he must say that of late years, wheresoever agitation had been going on, or rebellion had been at work—wherever any conspiracy was bursting forth against any established Government—be it carried on by bad means or by means somewhat less bad—they were sure to find Polish agitators, if not at the head, at least concerned in the movement—and accordingly at the head of Charles Albert's army, which hoisted a standard of what was now claimed as the national colour, whose motto was the unity of Italy, and whose war-cry was the expulsion of the Austrians as foreigners—at the head of that liberal army whose object was to raise a national colour, to unite the long separated nations of Italy, and to expel the Austrians from Italy—at the head of that army was a foreign Pole, whose name was not at present known, probably seeking the fame of defeat; but who was about to peril his reputation—his small reputation—against the brilliant renown of the veteran Radetzky; and who, in all human probability, was not destined to lead the Sardinian troops to any splendid triumph. With respect to mediation, he had heartily desired that something might come of it; and he believed that one reason why Austria had hesitated so long was because she did not believe it could lead to any good result. How indeed could it after the battle had been lost and won? He (Lord Brougham) had often heard in his professional life at the bar and on the bench of arbitration before verdict—but never of one after verdict, and when proceedings had been entered up. In that case the beaten party would always be ready to refer—but never could a reference be effectual. So here, how expect a reference to succeed after Austrian victories on all points had declared she never would cede one inch of territory. It was perfectly hopeless. One word before he sat down about the proclamation of the King of Sardinia—a document almost unexampled in the history of human folly and human fraud—a compound of audacious misrepresentations with facts too well known—shuffling at obscure conclusions—made up of pompous assertion of truisms, which no man doubted, with a courageous propounding of falsehoods which no man could believe—a Jesuitical document, now arguing here, now tricking there, and then gaining a little when you were off your guard—full of ambiguities and a wrapping up of what might be anything with a constant attempt, under a multitude of vague words and false pretences, to keep the real objects and the real truth out of sight. But that real truth was this—"That I Charles Albert cannot resist the republican faction in Paris, and its representatives in Turin, and, above all, in Genoa—I cannot stand against the bad feeling that unhappily has got possession of a part of the Sardinian army, and therefore I am compelled, whether I will or not, to break the peace, though it is an infraction of the treaty, and just as much contrary to good faith to do so this year as it was last year; and I will, therefore, take the desperate chance of that desperate game, war, and try to extend my dominions, as I vainly tried last year."

Motion withdrawn.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, March 22, 1849.

MINUTES.] PUBLIC BILLS.—1° Mutiny; Marine Mutiny; Prisoners' Removal (Ireland).

PETITIONS PRESENTED. By Admiral Gordon, from the Presbytery of Deer, in the County of Aberdeen, against the Parliamentary Oaths Bill.—By Mr. Benjamin Smith, from Inhabitants of Dunfermline, in favour of the Affirmation Bill.—By Mr. Rakes Currie, from the Parish of St. Giles, Northampton, for the Abolition of Church Rates.—By Mr. H. E. Adair, from Ipswich, in favour of the Clergy Relief Bill.—By Colonel Arbuthnott, from the Presbytery of Fordoun, against the Marriage (Scotland) Bill.—By Mr. Deedes, from Attorneys and Solicitors practising at Sandwich, Kent, for Repeal of the Duty on Attorneys' Certificates.—By Lord Rendlesham, from the Parish of Bedfield, Suffolk, and from several other Places, for Repeal of the Duty on Malt.—By Mr. G. Sandars, from the Borough of Wakefield, for Reduction of Public Expenditure.—By Mr. Brotherton, from the South Eastern Railway Company, respecting Taxation on Railways.—By Sir W. Clay, from Churchwardens, Overseers, and Others, of the Parish of St. Mary, Whitechapel, for

Repeal of the Duty on Windows.—By Mr. G. Hamilton, from the Ratepayers of East Skull, Skibbereen, for Relief of Distress (Ireland).—By Sir Charles Lemon, from the Guardians of the Penzance Union, for the Suppression of Mendicancy.—By Colonel Ferguson, from the Seaport of Kirkaldy (Scotland), against the Navigation Bill.—By Mr. Hume, from Edward Emery, and Others, for Abolition of the Palace Court, Westminster.—By Sir W. Clay, from William Robert Cooke, and Others, for the Promotion of Peace.—By Sir De Lacy Evans, from Out-Pensioners of Chelsea Hospital, respecting Deductions from their Half Pay.—By Viscount Castlereagh, from Hillsborough, in the County Down, and from several other Places, against the proposed Rate in Aid (Ireland).—By Sir De Lacy Evans, from the Masters, Matrons, and Others, connected with the Workhouse of St. Margaret's Parish, Westminster, for a Superannuation Fund for Poor Law Officers.—By Mr. Busfeild, from the Wesleyan Congregation, at Kirkgate, Bradford, for the Suppression of Promiscuous Intercourse.—By Viscount Emlyn, from the Guardians of the Cardigan Union, for an Alteration of the Public Roads Bill.—By Colonel Arbuthnott, from the Presbytery of Fourdon, against the Registering Births, &c. (Scotland) Bill.—From the Presbytery of Strathbogie, and several other Places, against the Marriage (Scotland) Bill.—By Mr. Hardcastle, from a Public Meeting held at Colchester, respecting the Rights of Conscience.—By Mr. Hume, from Inhabitants of Finsbury, against any Interference with Rome.—By Captain Pechell, from Brighton, for the Suppression of the Slave Trade.—By Mr. Bright, from the Parish of Eccles, near Manchester, and by other Hon. Members, from a Number of Places, for Referring War Disputes to Arbitration.

THE CHARTIST CONVICTS.

Mr. F. O'CONNOR repeated a question he had previously addressed to the Home Secretary as to the alleged ill-treatment of one of the Chartist prisoners now in Newgate—the complaint relating partly to the deprivation of knife and fork, and partly to the withholding of books sent by the prisoners' relatives.

Sir G. GREY said, it should be understood that the prisoner (Shaw) was subject to no special regulations with respect to his confinement in Newgate. A regulation was made at the last court depriving all prisoners of the use of knives and forks, but it would be reconsidered at the next meeting of the justices. Some of the books sent to Shaw by his friends were deemed by the chaplain of the prison improper books for his perusal, and were therefore rejected by him; but the fact was, that the chaplain had no jurisdiction over prisoners not members of the Church of England, and the prisoner, who, until then, had not intimated that he dissented from the Church, having then declared himself a Dissenter, the prohibition of the books on the part of the chaplain was withdrawn, and the matter referred to the visiting justices, who allowed some of the books but disallowed others, of which one appeared to partake of the character of a parody of the Holy Scriptures.

Subject at an end.

WAR IN THE PUNJAUB.

Mr. HINDLEY rose to give notice of his intention to ask the right hon. the President of the Board of Control, "Whether the statement in the public journals is correct, that the Governor General of India has decided that the property taken at Moultan is to go to the captors of the place as a prize?—Whether the Government have any information confirmatory of the statement in the *Bombay Times* to the effect that the troops having made their way in numbers into the fort of Moultan, a scene of plunder ensued in the last degree discreditable to the discipline of the Bengal army—the details being too distressing to be dwelt upon, and that the amount of plundering in the town of Moultan permitted by the Bengal troops was fearful, and the work of spoliation was by no means confined to the men?—Who were the parties responsible for having permitted such excesses, and (if the statement be substantially correct) what steps the Government intend to take in order that the perpetrators of them may be brought to justice?"

Sir J. C. HOBHOUSE said, he would answer those questions now. And first, with respect to the distribution of prize-money. The question had arisen, whether the commander-in-chief of the main army was entitled to a share of the Moultan prize-money, and had been referred by the Governor General of India to the home authorities, and would by them be decided in the usual way according to precedent. With regard to the other questions, he had only to say that he had that day gone through the whole of the despatches respecting the taking of Moultan, and particularly respecting those transactions which had been so much misrepresented; and he could assure the hon. Gentleman that unless facts occurred which did not appear and were not even hinted at in those despatches, the rumours he alluded to—and where he read them he (Sir J. C. Hobhouse) was at a loss to know—were totally unfounded.

RAILWAYS IN INDIA.

Viscount JOCELYN wished to ask the right hon. Baronet the President of the Board of Control, whether any arrangement had been made between the Court of Directors and the Board of Control, with reference to railway communication in India? if so, whether that arrangement was likely to be satisfactory to parties desirous of investing capital in these undertakings?

Sir J. C. HOBHOUSE said, that after the long consideration which the Board of Control had given this important subject, they had thought it their duty to transmit to the Court of Directors a plan, with regard to which they had thought it likely the court might come to some terms with the different railroad companies. That plan had been laid before the Directors last Monday, and would receive their earliest consideration. He believed the court coincided in the views of the Board of Control on the subject; the plan only awaited the decision of the different railroad companies, and the moment that was obtained he should inform the House of the result.

Subject at an end.

EMIGRATION TO AUSTRALIA.

Mr. F. SCOTT begged to put the following questions to the hon. Under Secretary for the Colonies:—" Whether any official information has been received by the last packet from any, and which, of the Australian colonies upon the subject of emigration?—What debt has been incurred in New South Wales on account of emigration since 1st January, 1847?—Whether any further loan has been recommended forestalling the annual revenue derived from the Land Fund in New South Wales?—Whether such proposal has been rejected by the colony?—Whether the funds applicable to emigration to that colony are not expended, and if not, how much remains?—How much of the colonial fund available at the meeting of Parliament has since been expended in Dorset and Wilts alone, to pay the whole passage money of emigrants from those counties only?—Whether it is known to the Government that shoemakers and other mechanics have been passed by the agents of the Government as " agricultural labourers eligible for free passages;" and whether those agents have received a commission of 15*s.* a head for passing such emigrants, and if it is intended to continue such a system of percentage to agents?—Whether Her Majesty's Government mean to persist in restricting the number of emigrants, and limiting the benefits of emigration to persons whose entire passage money is paid for them, or whether it is intended to economise the funds, and promote a continuance of emigration upon a principle of mutual advantage, by giving a preference to equally eligible emigrants who contribute towards their passages?—Whether there is any intention of reducing the number of clerks or others in the emigration department in Park-street, Westminster?"

Mr. HAWES said, with regard to the first question asked by the hon. Member, none but the ordinary information had been received, merely referring to the arrival of emigrant ships, &c., and none of that general character which the hon. Gentleman desired. To the second, third, and fourth questions, he could only answer generally, that a loan had been proposed for meeting the difficulty, but that loan had not yet been called into operation. With respect to the fifth question, the balance was small, but more than 5,000*l.* As to the sixth question, he expected to have had an account sent him before to-day, in order to have been able to answer the hon. Member's question, but he had not received it. He hoped to have it to-morrow. With respect to the seventh question, he was not aware of the circumstances alluded to. He had made inquiry whether any mechanics had been passed by the agents of the Government as " agricultural labourers eligible for free passage;" but he was not aware of any such parties having been (at least to any extent) so passed. Isolated instances might have occurred; but, generally speaking, he did not think there had been the impositions alluded to. As to the eighth question, in reference to the assistance of emigration, the subject was of considerable importance certainly; and since 1842, 2,450 persons had been sent out with assistance. In reply to the ninth question, he had only to say, that the correspondence in the emigration department was daily increasing, and increasing to such an extent, that rather an augmentation than a diminution of the clerks would become necessary.

Mr. SCOTT, as to the seventh question, asked if he were to understand that the emigration agents had actually received the commission of 15*s.* a head on the emigrants they obtained? That is, for allowing such impositions on the colonies as I have alluded to.

Mr. HAWES: No; I cannot admit the facts that there has been (to any extent) such impositions.

Mr. SCOTT: Will the hon. Gentleman receive evidence of the fact?—for I beg to assure him it is the fact.

Mr. HAWES made no reply.

CANADIAN REBELLION.

Mr. GLADSTONE said, he would take this opportunity, in consequence of the intelligence lately received from Canada, of asking Her Majesty's Government the two questions of which he had given notice. The first was, whether any instructions have been given to the Governor General of Canada as to the course which he is to pursue, in the event of its being proposed to him by his advisers to allow them to introduce into the House of Assembly any Bill giving compensation to any persons known to have been implicated in the rebellions of 1837 or 1838, on account of the damage sustained by them in those rebellions, or in the event of the passing of any such Bill through the two Houses of the Provincial Legislature? His second question was, whether, according to the usage of Canada, if any such Bill should have passed through both Houses of the Legislature, and should have become an Act by the Governor General's assent, without a suspending clause, the money thereby authorised to be paid would be payable forthwith, or before Her Majesty's servants had had an opportunity of advising Her Majesty with respect to the allowance or disallowance of such Act? And, perhaps, for the convenience of the House, he had better put a third question—namely, whether any official information had been received by Her Majesty's Government from Canada with regard to these proceedings; and if so, whether they had any objection to place it upon the table of this House?

MR. HAWES said, in answer to the first question of the right hon. Gentleman, he had to state that no instructions whatsoever were given to the noble Lord at the head of the Canadian Government with reference to the introduction of this Bill, or in contemplation of any such measures. His noble Friend (Earl Grey) had entire confidence in the noble Lord the Governor General's judgment and discretion, and was not in the habit of giving him instructions of that kind. With regard to the second question of the right hon. Gentleman, who had himself filled the office of Secretary of State for the Colonies, he had to state that all colonial laws—he believed universally—having passed through their formal stages, and received the assent of the Crown, through Her Majesty's representative in the colony, come into immediate operation, unless they contain a suspending clause. This would apply, of course, to all Acts, whether they were for the appropriation of money or not; and, therefore, from the passing of such a Bill, of course the Act would come into operation and would continue to have the force of law, unless disallowed by Her Majesty. In that case, it would only cease to be law upon the arrival of the specification of Her Majesty's disallowance in the colony. With regard to the right hon, Gentleman's third question, he had to say that no despatch whatever had been received from the Earl of Elgin with reference to this transaction, either before or since the same question was asked the other day; and, therefore, he had no despatch to produce to the House. He used the word "despatch" advisedly. His noble Friend (Earl Grey) had a private letter from Canada, which he only received yesterday; but with regard to any public despatch, nothing of the kind had been received.

MR. HUME begged to ask whether the sum which the Government of Canada had agreed to advance was not proposed to be granted pursuant to the recommendation of a commission, which was appointed by Lord Metcalfe, for the purpose of considering the losses that had been sustained during the rebellion? Was not the advance for compensation recommended by a Committee appointed with the unanimous consent of the Legislative Assembly of that day to examine into and report upon the damage that had been sustained; and did not the report advise that 100,000*l.* should be paid, excluding rebels or persons concerned in the rebellion?

SIR G. GREY thought it was better to postpone a question of that kind until the Government were in possession of official information, which would be laid before the House. He was aware of the fact to which the hon. Gentleman had referred; but if an answer were given to the question, it might lead to a discussion, because it would be difficult to answer it by a single affirmative or negative. The hon. Gentleman the Member for Montrose assumed that the Bill had passed; but it appeared, from a private letter addressed by the Earl of Elgin to his noble Friend at the head of the Colonial Department, that the Bill was not passed. It had yet to pass through Committee, and notice had been given of several amendments. That was the reason, no doubt, that the noble Earl had abstained from addressing any official communication to his noble Friend at the head of the Colonial Office on the subject.

MR. HUME had asked of the Government a distinct question, which he might also put to the right hon. Gentleman the

Member for the University of Oxford (Mr. Gladstone), who was Colonial Minister at the time. It was announced in a despatch to the Government from Lord Metcalfe, that a commission had examined into the losses that had been sustained, and had reported that 100,000*l.*, or, he (Mr. Hume) believed, a larger sum ought to be paid. Was not that the origin of the question?

Sir G. GREY believed that there was a circumstance of that kind, but an answer to the inquiry of the hon. Gentleman might open a question for discussion as to whether the objects contemplated by that commission were the same objects that were contemplated by the persons who introduced this Bill; and, at present, they did not know whether the legislature would ultimately sanction this Bill, or the recommendation contained in the report of the commission; it was better, therefore, to postpone the question until official communications on the subject were received.

Mr. GLADSTONE could hardly consider that the question of the hon. Gentleman the Member for Montrose was addressed to him; but he held in his hand the votes and resolutions of the Legislative Assembly, and the resolutions as passed by the Legislative Assembly, together with the amendments that it was proposed to make, and which were rejected by that body. ["Order, order!"] He was in the hands of the House, and it was for the House to say whether he should read the resolutions or not.

Sir G. GREY rose to order. He begged to remark that the right hon. Gentleman had received an answer to his question; if the resolutions were read there must necessarily be a debate. There had been a commission appointed to inquire into this question; and it appeared to be a disputed question in the Assembly in Canada, whether the present Bill was one to carry out that intention.

Mr. GLADSTONE must say this, that he thought the course he took in offering to read what was public and official, was not an unjust one. At any rate, he must say this, that the answer of the right hon. Gentleman the Secretary of State to the question of the hon. Gentleman the Member for Montrose was calculated, in his judgment, to convey an incorrect impression.

Mr. ROBINSON wished to know if the hon. Gentleman the Under Secretary for the Colonies, when he made use of the expression, "when the measure receives the assent of the Crown, it will come into immediate operation," meant the Governor General?

Mr. HAWES had said, that when the measure received the assent of the representative of the Queen in the colony, it would come into immediate operation.

Subject dropped.

MOLDAVIA AND WALLACHIA.

Lord DUDLEY STUART* rose, pursuant to notice, to move for copies or extracts of any correspondence between this Government and the Governments of Turkey and Russia, relating to the occupation by Russian troops of the provinces of Moldavia and Wallachia. The noble Lord said: I am quite aware how very little attention questions of foreign policy generally excite in this House, and I regret my own want of ability to invest my present subject with the interest which I conceive it deserves. I am, however, deeply impressed with the importance of the question, and trust the House will extend to me some indulgence while I endeavour, to the best of my power, and in as short a time as I can, to discharge what I believe to be my duty, by laying before it a statement on the subject of which I have given notice. Some hon. Gentlemen may think that time employed on discussions relating to foreign affairs is wasted. Such, however, has not been the opinion of our best and greatest statesmen. In support of that position, I might quote authorities from Lord Chatham down to the present day; but I shall confine myself to a reference to the opinions of one on whom I look with great respect, and which, I presume, will not be treated lightly by any one sitting on the Treasury bench, for they are the opinions of one who must be allowed to be, as well by his enemies as by his supporters, one of the ablest Ministers to whom the Foreign Department of this country has ever been entrusted. The authority to which I refer is that of the noble Lord the present Secretary of State for Foreign Affairs. My noble Friend, some years ago, made use of the following language:—

> "I know that there are many persons in this House who look with great indifference, if not with actual repugnance, at discussions which turn upon our foreign relations; who think that they sufficiently perform their duties in this House, by devoting themselves sedulously to our domestic concerns; who are willing to leave our

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* From a printed pamphlet.

foreign affairs to the unquestioned discretion of His Majesty's Ministers; or who, at least, believe those affairs to be matters of peculiar mystery and craft, upon which none but the fully initiated are capable of arriving at sound and satisfactory opinions. Why, as well might a man think that provided he looked carefully after his estate, and managed his household with economy and order, it was unimportant to him what might be his behaviour towards his neighbours. When we consider how much our purely domestic interests are concerned in our diplomatic relations with other countries—when we reflect what influence the foreign policy of so great a Power as England must necessarily have upon the transactions of the world, and how much it must affect the welfare and peace of nations—it is plain that both those who look only to our own selfish interests, and those whose views take a higher flight, ought equally to watch with jealous anxiety every step of the Government in these matters. But then, as to the difficulty of understanding these things. It may suit the purposes of some to endeavour, like the high priests of Egypt, to keep knowledge to themselves, by locking it up in mystical and unintelligible language; but the days are gone by when diplomacy was an occult science; the intercourse of nations must now be conducted upon the same principles as that of individuals. I say, then, that every English gentleman, who brings to the debates of this House an honest mind and a manly and generous spirit, will find it just as easy to judge of these matters, if he will only insist upon having proper information, as he would of anything else to which he may direct his attention. I, therefore, implore this House to rouse themselves from that apathy as to our foreign affairs which has prevailed so long; for they may be assured that never, upon a matter of high national concernment, was the salutary control of their interference more urgently required."

I will show that the subject to which, on the present occasion, I ask your attention, is one of high national concernment. Those persons who are the most averse from interference with the affairs of other countries, even the total abstinence men, the teetotallers in politics, are apt, when they declare against all interference, to make a reservation with regard to questions in which our honour or our interest may be directly concerned—I will show that the present question affects both, and that it is precisely because we are a commercial nation that we are deeply interested in it. Now I beg the House will not be alarmed—I am not going to urge it into war—far from it. I do not even wish the Government to assume an attitude hostile to Russia—I know the nation is determined to remain at peace—everyone is for peace—I am for peace—and I have given security to that effect in the votes I have recorded in favour of the proposals of my hon. Friend the Member for Montrose, and the hon. Gentleman the Member for the West Riding, for the reduction of our forces and the diminution of our expenditure. It is not for war, then, that I am about to ask in my present Motion, but for information. If my noble Friend the Secretary for Foreign Affairs will say that there is no correspondence on the subject referred to, then there is an end to the question. But my noble Friend knows, and the whole world knows, that there has been a vast deal of correspondence on the subject, and that it has occupied the attention of the Governments of various countries for a length of time. In order to understand the question it is necessary to inquire what are Moldavia or Wallachia—what is, and what has been, their political condition? These principalities, which contain a population of about three millions, lying on the north of the Danube, and placed between that river and Russia and Hungary, form parts of the Turkish empire. They have done so for four or five centuries. The inhabitants after struggling long for their independence, at length submitted to the rule of Turkey, and entered into treaties, or capitulations as they are termed, by which they acknowledged the Porte as their Suzerain, on certain conditions most favourable to their liberty. The first of these capitulations was signed in 1393. It stipulated, amongst other things, that the Wallachians should always be governed by their own laws; the other capitulations were signed in 1460 and in 1513. Those capitulations have been acknowledged and confirmed not only by Turkey, but also by Russia, even so recently as in the Treaty of Adrianople in 1829. The inhabitants, notwithstanding that they are of the same religion as the Russians, and notwithstanding the intrigues of the latter, have remained firm in their allegiance to the Porte, and are more so now than at any former time. It is true that for some fifteen or twenty years they have been anxious to introduce reforms into their institutions; and that desire, though not occasioned by, has doubtless received an impulse from the electric shock communicated to all nations by the events of February, 1848. This, in the course of last year, led to petitions, on the part of the Moldavians, for reforms. The Hospodar, instead of agreeing to them, threw the petitioners into prison, and Russian troops then entered the territory. This occurred about the end of June. In Wallachia, about the same time, a new constitution was adopted, with the consent of the Hospodar, who, however, shortly after abdicated. No violence was employed—no blood was shed—no disturbance occurred; a Provisional Government was established, and governed the country to the satisfaction of the inhabitants for three months. In the meantime a deputation was sent to Constantinople. The Sultan appeared at first to approve of what had been done, but required some alterations in the composition of the Government, which were immediately assented to. The Emperor of Russia, however, thought proper to interfere, and he declared to the Porte that, if she did not put down by force of arms the new state of things in Wallachia, he would. The Porte applied to England and France for advice, and was recommended to submit to the wishes of Russia.

Turkish troops were then sent into Wallachia, they entered Bucharest on the 25th of September, accompanied by the Russian General, Duhamel, overthrew the Provisional Government, and re-established the former order of things. Notwithstanding that all pretext for further interference was thus removed, a Russian army entered Wallachia a short time afterwards; and General Duhamel proclaimed that he took possession of the province in the name of the Czar, his master. This occupation was accompanied with circumstances of insult to the Turks, and oppression to the inhabitants; all authority, civil as well as military, was usurped by the Russians, all legal as well as illegal acts were performed by them. A Turkish subject was arrested in the house of the Turkish commander-in-chief. An English subject was dragged to prison, in spite of the remonstrances of the British Consul. All persons obnoxious to Russia were thrown into prison; and, what was worst of all, the Russian army, amounting to no less than 60,000 men, was maintained at the expense of the wretched inhabitants. At first, contributions in money were levied, and, as may easily be imagined, found their way as often into the pockets of the officers as into the military chest; then provisions were ordered to be supplied; but when it appeared that the troops were in danger of starvation, the Emperor generously permitted the Wallachian Government to open a credit at St. Petersburgh; thus saddling the country with a heavy national debt, and preparing pretexts for future oppression. Towards the close of the last Session, I asked my noble Friend at the head of the Foreign Office, whether it was true that Russian troops had entered Moldavia; and my noble Friend stated in reply, that they had so entered without the authority of the Czar, and at the request of the Moldavian authorities; but that that movement had taken place solely for the purpose of restoring order in the province, and that the occupation was not to continue for any length of time. My noble Friend, however, must since have found out that he has been grossly deceived on the subject, for the Russian troops are still in Moldavia, and the Emperor has also taken military possession of Wallachia. The Russian Government has been extolled on account of what is termed its dignified attitude, its moderation, and its forbearance from intervention with the affairs of other States in the eventful year 1848. But it must be owned that such forbearance has not been exemplified in Wallachia. To march an army into the territory of a neighbour, occupy provinces belonging to an independent State with 60,000 men, and force the inhabitants to maintain them at their own expense for six months, is conduct which, at first sight, looks more like lawless aggression, than moderation or forbearance—it makes a pretty strong *primâ facie* case against the Power pursuing such a course; and unless reasons can be assigned giving Russia a right so to act, and making it justifiable for her to exercise the right, it must deprive her of all title to be looked upon in any better light than she has always been considered—that is, as a Power seeking unscrupulously her own aggrandisement, without any regard to her engagements, or any respect to the most solemn treaties. But was there anything to justify that interference on the part of Russia? I contend that there was not. In the Treaty of Kainardji, adopted in the year 1774, it was declared by the 16th Article—

> "The Porte consents, that according to the circumstances of the two principalities, the Ministers of the Imperial Court of Russia may speak in their favour; and promises to take into consideration such representations conformably to the amity and respect which it has for the Powers."

But that stipulation, which strongly contrasts by its moderation with the arrogant tone now assumed by Russia, cannot give her that power of interference which she claims. In the Treaty of Bucharest, and in those of Ackerman and of Adrianople, there were stipulations in favour of the principalities; but those stipulations have in no way been violated; it is not even alleged that they have been violated; and they cannot, therefore, justify the course which Russia has taken. A guarantee, in order to be performed, must be claimed. There is no guarantee on the part of Russia in these treaties, except one, which is of so extraordinary a nature that it must excite the greatest surprise, and that certainly has not been claimed.

The 5th Article of the Treaty of Adrianople runs thus:—

> "The principalities of Moldavia and Wallachia having by a capitulation placed themselves under the Suzeraintė of the Sublime Porte, and Russia having guaranteed their prosperity."

The Emperor Nicholas is a powerful sovereign, no doubt, and a great potentate; his will is law, or he thinks it ought to be; but he is, I believe, the first mortal who has thought of giving to any country a guarantee for its prosperity. One Emperor of Russia did, indeed, declare himself to be God, proclaiming that as God was his God, so he was the god of his subjects; and really, in reading this article of the treaty, one must conclude that the Emperor Nicholas arrogates to himself the attributes of the Deity. I believe that after the present Motion has been disposed of, a question will come on relating to the actual condition of Ireland. Let hon. Gentlemen from that country apply to the Emperor Nicholas for a guarantee. Oh! if he would only extend his benignity to Ireland—if he would only take Connemara under his protection, there would be no more potatoe rot—no more famine—no squalor—no evictions—no emigration—no further occasion for a rate in aid; and the right hon. Member for Tamworth need not, in pursuance of the plan which has occasioned so much delight in Ireland, lay out his money in the purchase of Ballynahinch, but might save his thousands without stirring from the shades of Whitehall Gardens or the schools of Tamworth. Where is the hon. Member for Macclesfield? Let him get a guarantee from Nicholas the Great, and the prosperity of Regent Street may be ensured. Where is my hon. Friend the Member for Birmingham? He should get a treaty negotiated with Nicholas, and with a guarantee for the prosperity of Birmingham he might stroke his beard with complacency, undisturbed by advertisements announcing the importation of scissors and knives from Germany!

But, besides this guarantee, there is something else in the article I have been referring to; it states that Russia having guaranteed the prosperity of the principalities, it is understood that they shall preserve all the privileges and immunities granted to them in virtue of their capitulations.

Now, what were those privileges and immunities? First and foremost, the right of making their own laws. However absurd the first part of the article, there is certainly something logical in the sequel; for the best mode of carrying into effect a guarantee for the prosperity of a people is to allow them to govern themselves; therefore, immediately after the guarantee, comes, as a consequence, the stipulation for self-government. Now, how has Russia, which has provided for the prosperity of the principalities by saddling them with the expense of maintaining 60,000 troops, how has she evinced her respect for their rights and privileges? On the publication of a new edition of the Organic Statute or Constitution of the Provinces, Russia interfered in a manner wholly unjustified by treaty. It was necessary that the Organic Statute should be voted by the Legislative Chambers. Russia procured the adoption of some words by which she was termed the protectress of the provinces, and endeavoured to get inserted in it additional words, prohibiting any change in the constitution without the consent of the protecting Power. The Chambers indignantly refused. Nevertheless, the Russian Minister procured the surreptitious introduction of the words into the official copy of the Act; but the Assembly having immediately and formally protested against it—and the protest may be read in Martens' collection of treaties—it cannot be considered as having any validity. It can have no more validity than an Act of Parliament would, if words were interpolated in it without the sanction of this House. It is upon such pretexts that Russia has violated the territory of a neighbouring State with an army of 60,000 men, and forced the inhabitants to maintain them for more than six months at their own expense; and Russia has been eulogised for its moderation, dignity, and forbearance, and has received this eulogy from those who can set no bounds to their vituperation of Charles Albert and of the King of Prussia, for their interference in Lombardy and in Schleswig-Holstein. Let those who are so loud in their denunciation of Governments whom they accuse of disregarding the obligations of treaties, in order to assist and defend popular and national rights, display equal indignation at similar conduct when the object is to oppress and to trample down such rights; or let them stand forth in their true colours, not as the scrupulous defenders of good faith, but as the friends of despotism; and let it be seen that their pretended attachment to the faith of treaties is but a mask to disguise their hatred of liberty, and the desire which lurks in the bottom of their hearts to put down all popular rights, and to see mankind subjected to the degrading yoke of arbitrary power. It may, no doubt, be very convenient to Russia to hold possession of these provinces, in order to menace and overawe those who are struggling for their liberty in Hungary. So, too, it would be convenient to her to occupy the Ionian Islands, in order to intimidate the patriots of Italy; and who can doubt that she would do so, if not deterred by one only reason — namely, that they are in the hands of a powerful State; and that, in short, she dare not. Who can doubt that if these islands had been in weaker hands, that they would have been treated like the principalities of the Danube?

She has already, under pretext of invitation from the inhabitants of Hermanstadt and other frontier towns — and by what arts such invitations are obtained, it is not difficult to imagine — advanced from Wallachia into Transylvania. And what has been her conduct there, where she professes to have gone solely for the benevolent purpose of preserving the inhabitants from the evils of anarchy and confusion? Finding some unfortunate Wallachians, who had fled into exile in order to escape from her fury, and who fancied themselves in safety in the territory of another State, she has seized them, and, without respecting sex, has sent off even women and unmarried girls prisoners into Russia. The preservation of the integrity of the Turkish empire has always been considered an object of the utmost importance by our statesmen. It has been declared to be so in many a Royal Speech from the Throne. It has been proclaimed by Secretaries of State for Foreign Affairs, and by Prime Ministers, belonging as well to conservative as to liberal Governments, and even by hon. Gentlemen who may possibly belong to future Governments — by protectionists. Our statesmen have vied with each other in declarations on this subject. My noble Friend at the head of the Foreign Office, in the course of a debate which took place on the 4th of February, 1834, said—

> "I consider it of the greatest importance to this country, and to the balance of power in Europe, that the Turkish empire, such as it subsists, should be maintained in all its independence and integrity; and it was not without due consideration that this was pointed out in the Speech from the Throne as a matter deserving of the serious attention of Parliament."

It is, however, unnecessary to quote speeches when facts can be referred to. For what did we incur the risk of war with France, and encounter not the risk, but the reality—which I trust sincerely may never occur again—of a misunderstanding of long duration with that country—for what but to prevent the Pacha of Egypt retaining possession of Syria? Was it a more serious blow to the independence of the Ottoman empire that Egyptian troops should occupy Syria, than that Russian troops should take possession of Moldavia and Wallachia? But perhaps there is a change in the views of those governing the country. Perhaps it is a mistake to consider it of consequence that the integrity of the Turkish empire should be maintained, and, perhaps, that is now considered a matter of trifling importance.

I hope the noble Lord will tell us—I call upon him to declare, for I think the House has a right to know—whether the views of Government have undergone a change in this respect, or whether the same importance is attached to it as heretofore. For my part, I hesitate not to declare, that I think it deserves, not only as much, but greater attention than ever.

I said that I would show that it was in its commercial bearings that the question I have ventured to bring before the House was especially important. I think I can do that in a very few words; and I would intreat the calm attention of the House to this part of the subject. I have endeavoured to avoid all asperity in bringing forward this Motion: I have given no expression to those feelings which, I am not ashamed to confess, never fail to rise in my breast when contemplating the acts of the oppressor of Poland. I would beg the House to meet me in the same spirit, and enter dispassionately on the consideration of this branch of the question.

The military occupation of the Danubian principalities must be regarded as the first step towards the dismemberment of the Turkish empire—that conclusion to which the policy of Russia has always tended—or not the first step; for many such steps have been taken already, sometimes boldly and openly, sometimes insidiously and stealthily, and sometimes, as I hope will be the case in the present instance, they have been, though always unwillingly, retraced. The occupation, then, must be regarded as a step — as another step towards that end. There is no Government so liberal in its commercial dealings as Turkey; none embraces so practically the doctrines of free trade; and any change in the affairs of the world that should place Turkey under the rule of any other Power would be a heavy blow to our commerce. It behoves us, therefore, to be exceedingly jealous of any beginning that may by possibility have such an end. Gentlemen who are disposed to think or speak lightly of such a result, forget that whilst the tariff of Russia either prohibits the introduction of almost all our manufactures, or saddles them with duties of prohibitive amount, Turkey admits them all at the duty of from 3 to 5 per cent.

It appears, from official returns, that only three countries are better customers to us than Turkey — namely, Germany, which is the best of all, then Holland, then Italy, and the Italian Islands. France, though our nearest neighbour, is only on a par with Turkey. No other country comes near her. Russia is more than half a million below Turkey. Prussia, Belgium, Denmark, Sweden, Norway, all together, do not equal her. Portugal, our ancient ally, supposed to be of so much importance to us in a commercial point of view—Portugal and Spain together, with the Azores, and with Madeira, and the Balearic Islands too, do not reach her; and even if our own possession, Gibraltar, which annually takes more than half a million, be added, barely surpass her. This appears from the revenue and population returns for the year 1846—a year not the most favourable for my purpose, but it is the nearest to the present time to which I have access. I beg to call the attention of the House to some observations powerfully supporting my view of the importance of our trade with Turkey, which appeared on the 24th of December last, in an ably written paper, having a large circulation in the manufacturing district, the *Manchester Guardian*:—

> "Few Englishmen—few English manufacturers even, are aware that the narrow passage of the Dardanelles is continually traversed by fleets freighted with the produce of English looms, of English mines, of English workships, and of English colonies; that this great stream of commerce, having arrived at Constantinople, and having suffered there such diminution as serves to supply the wants of that capital and its surrounding provinces, passes on to the Black Sea, where, dividing into two branches, the smaller seeks the principalities of Moldavia and Wallachia, through the mouth of the Danube, whilst the larger, reaching Trebizond, is again subdivided, diffusing itself over Persia on the one hand, and on the other stretching, by means of the great caravan lines, into the boundless east, as far as Caubul, Khokand, Bokhara, and Chiva. The ignorance which prevails respecting its resources can only be explained by the circumstance that it is carried on almost exclusively by the agency of foreigners. Yet this trade is important on account of its present magnitude, and still more important by the promise which its rapid increase affords of an almost indefinite future development. The question is sometimes asked, 'What interest can England, a Christian nation, have in the preservation of the Ottoman empire? When the facts which we have just stated are known, the question admits of an easy answer. Whilst countries, which boast of a higher degree of civilisation, have vied with each other in inventing complicated contrivances, having for their object the protection of native manufactures, to the certain injury, and sometimes to the utter destruction of their foreign commerce, the Turkish Government has adhered to its ancient maxims, and on this point as well as on some others, has set an example of liberality which has been little applauded, and still less imitated, by western Governments. Now, suppose for a moment that any European Power—Austria, France, or Russia, obtained possession of Constantinople, would the manufactured goods of England be permitted in that case to pass into the Black Sea, as they are permitted at present, on paying a small *ad valorem* duty of between 3 and 5 per cent? Is it not more rational to conclude that any European Power, on gaining the command of the Dardanelles, would extend its present tariff to its new dominions? Now, the tariffs of France, Germany, and Russia are prohibitive of British manufactures, with the exception of the half-manufactured article of cotton twist, which is admitted into the two latter countries as a great favour, at an *ad valorem* duty of 30 per cent. We must, therefore, expect, if the rapidly approaching frontier of the Russian empire should ever reach the banks of the Hellespont, not merely to see the increase of our Eastern, or Greek trade, as it is termed in Manchester, receive a sudden check, but we must be prepared for the almost total annihilation of that valuable branch of our commerce. Nor does this opinion rest merely on a calculation of probabilities; it has received the confirmation of actual experience. Up to the time when the Russians took possession of Georgia, merchants from that country visited Constantinople in considerable numbers for the purpose of purchasing English manufactured articles; but a few years after its annexation to the Russian empire this commerce ceased, and the Georgian traders have entirely disappeared from Constantinople. The late Earl Grey is reported to have said that the meanest artisan in the kingdom is interested in preserving the balance of power. The observation is no doubt correct; but the

> interest must in many instances be somewhat remote. The interest, however, of the Manchester operatives in preserving the independence of Turkey is direct and obvious."

The trade with Turkey is not only large, but it is steadily and rapidly increasing. In a speech which I made in this House in the year 1836, I showed that the declared value of our exports to Turkey was, in the year 1827, little more than 500,000*l.*; in 1834, 1,200,000*l.*, that is, the exports to Turkey had increased by 700,000*l.* Since the last-mentioned period they have further increased by 1,200,000*l.*, that is, from 1834 to 1846 they have doubled; whilst from 1827 to 1846, in twenty years, they have increased fivefold. This increased and increasing power of consumption of our manufactures, forms, I think, a sufficient answer to those who speak of the Turkish empire as effete and in a state of decay; it shows that it has resources in abundance; and surely demonstrates that if it was important to us that the integrity of that empire should be maintained twenty years ago, it is, in a commercial point of view, still more important now. Now, compare the progress of the trade of Turkey with that of Russia. In twenty years, while our annual exports to Turkey have increased by 2,000,000*l.*, our exports to Russia have increased only by 500,000*l.* Twenty years ago the declared value of our exports to Turkey was less than half that of our exports to Russia. Now, our exports to Turkey exceed those to Russia by more than one-third.

I have stated that twenty years ago our exports to Turkey were only half a million; by the latest returns they are nearly two millions and a half; and during the time that our exports to Turkey have risen from half a million to two millions and a half, those to Russia have only risen from 1,200,000*l.* to 1,700,000*l.* But what I have said forms but an imperfect picture of the relative value of the trades; we must inquire of what the exports consist; a large portion of those going to Russia, nearly one-half, is composed of the half manufactured article of cotton twist, which is worked up by the foreign manufacturer into goods, and afterwards brought into competition with our own. The value of cotton manufactured goods exported to Russia is perfectly insignificant; it does not amount to 50,000*l.* The trade to Turkey presents an aspect precisely the reverse. The value of cotton twist exported is small, and almost the whole of our exports to that country consists of cotton manufactured goods. In 1847 the declared value of cotton goods alone exported to Turkey equalled, within a few pounds, the declared value of goods of all sorts, cotton twists and all, exported to Russia. It is well known how much more valuable the trade in cotton goods is than that in cotton twist. This has been well expounded in a pamphlet which has lately been published, from which the following are extracts:—

> "Of course the greater the amount of labour and capital required to produce any manufactured article, the greater is its value, in proportion to the value of the raw material of which it is composed. Out of the price of plain and printed calicoes must be paid, not merely the expense of the labour and the interest of the capital employed in producing the yarn, but also the labour of weaving and printing, and the interest of the capital employed in those processes; and according to the best estimates which have been formed on this subject, whilst the value of cotton twist is about double the value of the raw material which has been worked up in making it, the average value of the plain and printed calicoes, of which our exports consist, is about five times greater than that of the raw material. Deducting, then, on this account one-half from our exports of cotton twist, and one-fifth from our exports of plain and printed calicoes, we shall find a residue of 1,424,548*l.*, which must have been received in the shape of profits and wages, by our capitalists and workmen engaged directly or indirectly in the cotton manufacture, on account of our exports to Turkey in the year 1847; and the sum of 413,177*l.* only as tho amount which they received in profits and wages, during the same year, from our exports to Russia. As far as the cotton manufacture is concerned, the Turkish trade is therefore more valuable to England than the Russian, nearly in the proportion of five to two, and as this remarkable difference arises from the liberality of the Turkish tariff, which is uniformly low for all manufactured goods—from three to five per cent on the actual value—whilst the Russian tariff is almost as uniformly prohibitive, it is probable that an examination of the relative value of the Turkish and Russian trades with reference to other products would show a result no less favourable to the former than that at which we have arrived as respects the most important branch of our manufacturing industry."

I shall be told that some of these goods are only sent to Turkey *in transitu* to Persia and other parts of Central Asia; but should we enjoy this advantage if Turkey were in the hands of Russia? And if that event should happen, how long would Persia remain independent?

It will be urged that the aid of the smugglers would be called in to prevent the exclusion of our goods; but this would only operate as a mitigation of the evil, and not as a cure; for if you do not pay the tariff, you must pay the smuggler. It never can be argued, that it is of no consequence to us whether the tariffs of foreign countries are favourable to the admission of our goods or not. It is admitted, on all hands, to be a great advantage that our manufactures should be admitted at low duties. Even the protectionists admit that; but they object to free trade because they see in other countries no disposition to reciprocity, and though we adopt low duties, other countries refuse to do so. In Turkey, we have a country which sets us the example of free trade, and is ready to take all our manufactures: ought we not to be concerned in maintaining the independence of a country of so much importance to our interests? At this late hour I will not point out the various machinations of Russia, all tending to the detriment of Turkey, nor detain the House while I recount how she has filled with her agents and intrigues Bulgaria and Servia, and other portions of the Sultan's dominions. There is a great deal to be said on these matters, but it would take too long on the present occasion. I have been accused of introducing sentiment into politics: am I not on this occasion, appealing to you in behalf of your interests? On what was called the monster debate, the noble Lord the Secretary of State for Foreign Affairs said that nations were influenced only by their fears and their hopes—that Turkey, in reference to Russia, was actuated by fear; and in reference to England, by hope. I trust that my noble Friend will not deceive that hope, and that he will take such measures as that Turkey shall have less reason for fear of Russia, if, indeed, she does not entertain any fear. I, however, am inclined to believe she does not. She is not in the weak state she was in some years ago; and her army is large, and full of spirit. All that she now requires is the moral support of England. On a late occasion, the noble Lord the Secretary of State for Foreign Affairs told the House that the character of England was unshaken, that her moral influence stood high—that we were in a condition to give advice; and when given, it was listened to, and not despised or spurned. Let him now exert that influence. Every one connected with the East—every one that has been there—every one that knows anything about it, concurs in saying that all that is required by Turkey is that this country should assume a firm and resolute tone in her behalf. Though I see much to approve and admire in the conduct of the noble Lord at the head of the Foreign Department, I cannot help thinking that his language and attitude are not always sufficiently determined when he has to deal with powerful States. If he had remonstrated energetically when Russia first entered Moldavia—which she did with great hesitation, at first, disavowing the general whose act it was—and had shown that the British Government regarded that step with decided disapprobation and aversion, the proceedings of the general would perhaps never have been sanctioned, and at all events, the troops would soon have been withdrawn. The production of the papers for which I have moved will show how far this opinion is well founded. I hope they will not be withheld; and, thanking the House for their great kindness in listening to me with so much attention, I will only further observe, in words used on a former occasion by my noble Friend the Secretary of State for Foreign Affairs, that it is matter of deep interest and high importance that—

> "we should know what have been the principles on which our Government has acted—what has been the spirit in which the influence of England has been exerted, what objects have been aimed at, and by what means we have sought to attain them."

Motion made, and Question proposed—

> "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House Copies or Extracts of any Correspondence between this Government and the Government of Turkey, and between this Government and the Government of Russia, relating to the occupation, by Russian troops, of the provinces of Moldavia and Wallachia."

COLONEL THOMPSON seconded the Motion. Hon. Gentlemen who were in the habit of looking round the political horizon must often have felt a suspicion that the influence of England, like all other sublunary things, must be, in all political respects, far from stationary, and that our naval supremacy ought not to be calculated upon as something which was always to be preserved. A vast republic was growing up on the other side of the Atlantic, which it was probable might not always be animated by the most friendly feelings towards this country. A writer of an American Guide-book could not pass the Horse Guards without indulging in the anticipation, that perhaps within the sight of living individuals, there might be an army of 50,000 Americans drawn up in line behind that building. And when the same writer saw the standard waving over Windsor Castle, he thought it probable that "the piece of flaunting bunting might be superseded by the modest American stripes and stars." A serious American politician had also given his authority to the probability of the fact, that within the moderate compass of human life a period would arrive when the physical power of the United States would be much greater than that of this country. It might be so. The ground might be slipping away from under us; and—like Genoa, Venice, Holland, and other countries—a time might be coming when England might cease to be as powerful as she was now. She ought, therefore, to contrive to make friends somewhere or of somebody, and to place herself at the head of the great struggle which was going on between civilisation and freedom on one side, and barbarity and despotism on the other. He would not omit the opportunity to set before the Government, that there was in this country a strong current of public opinion in favour of our assuming the same position which Elizabeth and Cromwell—the woman and the man to whom our greatness was mainly owing—had in their day taken. He would not admit that he stood there to plead for war, or that any ancient habits or professional recollections were prompting him to express these opinions. He "hated war." A great leader had said so, and he might be allowed to follow him. But there was such a thing as incurring danger through being afraid of it. Did any man go about proclaiming, that if he were attacked by robbers he would not resist, because robbers were malevolent and strong? Believing, therefore, that the people took a vehement and deep interest in the progress of civilisation and freedom in other countries, and regarding this as an opportunity for the Government to lay before the world some evidence that they regarded foreign affairs with the same views, he would second the Motion.

VISCOUNT PALMERSTON thought he should best perform his duty to the House by rising immediately after his hon. and gallant Friend who had seconded the Motion, in order to state the view which he took of the Motion of his noble Friend the Member for Marylebone. He fully retained the opinion which his noble Friend had quoted from a former speech of his, that it was desirable for the interest of this country, as well as creditable to the honour of that House, that the House of Commons should take a lively interest in the foreign relations of this country; and he owned that sometimes, both in and out of office, it had been a matter of regret to him that the foreign relations of the country excited, comparatively speaking, so little interest within those walls. Although no doubt, it might be inconvenient to the person who filled the situation which he had the honour to hold, to be called on frequently to discuss matters of this kind in that House, yet any man who felt that he honestly and to the best of his ability discharged his duty, must look with confidence to the support of the great majority of the House; and if with that feeling he found himself supported by the House of Commons, he need not say how much that support would contribute to strengthen the hands of the Government in dealing with foreign affairs. Nevertheless, he did not feel it to be consistent with his duty to accede to the Motion, on the ground that the papers which were called for were connected with discussions which were still going on, and also on the ground that the House had invariably acknowledged the inconvenience of producing an unfinished correspondence on matters still pending between this country and foreign countries. He could assure his noble Friend, however, that he would be greatly mistaken if he supposed that the subject to which he had drawn the attention of the House was not considered by Her Majesty's Government of great national and great European importance. He was quite ready to concur in every syllable of what his noble Friend had stated with regard to the necessity of maintaining the independence of the Ottoman empire. He held it to be of vast importance to this country, both in a political and a commercial point of view. With regard to the political branch of the subject, it was not necessary for any man to go into an argument to show that if those vast possessions—for vast they were—which were now under the rule of the Sultan, were to be partitioned among the other Powers of Europe, such a partition could not be effected without great European conflicts, and would materially damage the existing balance of power, to the detriment of those nations which did not participate in the spoil. Now, as England, under any circumstances, could not wish or expect to share in the spoils of such a transaction, it was obvious that it was neither her desire nor her interest to assist in such a partition. That feeling, however, was not confined to this country, and the House might be assured that the other leading Powers of Europe were as sensible as we were of the great importance of maintaining the integrity of the Turkish empire. That was expressly recognised in a preliminary paragraph of the Treaty of 1841, regulating the passage of ships of war through the Dardanelles; and he was satisfied that none of the great Powers who were parties to that treaty would think of infringing the principles which were so solemnly laid down in the preamble of that public Act. He had said that, politically, the independence of Turkey was of great importance; and, commercially, his noble Friend had in no degree overstated his case. It was true that there was no foreign country with which we carried on commercial intercourse in which the tariff was so low and so liberal as that of Turkey. The trade with Turkey, also, was an annually increasing trade. So far from its having reached its maximum, he believed that, if the improvements which were now making in the internal administration of Turkey were carried out, we should find that step by step our commercial intercourse would increase; and not ours only, but the commercial intercourse of all the trading nations of Europe also; and those regions which in former times were the centre of civilisation, would again approach their former condition. Of course, then, under these circumstances, and with these views, it would have been a dereliction of duty on the part of the Government if they had seen with apathy and indifference transactions which in any way, however indirect, would appear to bear on the independence and integrity of the Turkish empire, and such undoubtedly would be, *primâ facie*, the occupation of two Turkish provinces by the army of a neighbouring Power. An explanation, however, of that step was given at the time by the Russian authorities, and communications, some written, some verbal, had been going on since, not only between the Russian Ambassador and himself at this Court, but between the representative of Her Majesty and the Russian Government at St. Petersburgh, and the British Ambassador, the Turkish Government, and the Russian Minister at Constantinople. These representations had been made on our part in a most friendly spirit—in that spirit which was suited to the friendly relations which, he was happy to say, existed between Her Majesty's Government and the Government of Russia. They had been received in the same spirit; and whatever might have been the substance of those communications, he thought that the House would be gratified in knowing that they had in no degree produced any change in the friendly relations between the two Governments. When the occupation first took place, a circular was issued by the Russian Government, a copy of which he held in his hand, stating the reasons which had induced the Russian Government to sanction the advance of Russian troops towards these provinces, and stating the contingencies under which that occupation would cease. The general ground on which that sanction was given—he said "sanction," because he believed that the immediate advance of the Russian force arose from communications on the spot between the authorities of the principalities and the Russian general commanding, but was sanctioned afterwards by the Russian Government—was stated in the following passage, which explained the contingency on which the duration of that occupation would depend. Count Nesselrode, after alluding to former occupations, and the evacuations consequent thereon, said—

> "The same thing will happen this time also; and from the moment that, in Wallachia and Moldavia, legal order shall have been established, or that the Porte shall think that it has acquired a sufficient guarantee for the ulterior repose of those provinces, our troops shall be withdrawn from them, to go and reoccupy immediately that strictly defensive position which they occupied before."

Now, of course, it was open to anybody to say that, when a Member of the Administration expressed his confidence in the intentions of any foreign Government, that he reposed an undue belief in those intentions, that he was not sufficiently watchful, and that he had not profited by past events. In answer to that, he could only say that, whatever might be said of the validity of the grounds on which the occupation had taken place, he was confident that the Russian Government had no intention of making any permanent encroachment on the Turkish empire; and he was satisfied that the question between Russia and any other Power was a question merely of time, and not a question of ulterior intention. It was but fair to say, that since those events which during the last twelve months had agitated Europe, the Russian Government had evinced a great desire to remain in an expectant attitude, and, with the exception of this occupation, had not interfered in the internal affairs of other countries. As to the grounds on which Russia had occupied these provinces, it was not for him to discuss their validity now; but the grounds assigned were, that the revolutionary movements which had taken place in these provinces were connected with much more extensive arrangements, and that it was in order to guard her own provinces against a similar movement that she interfered, and assisted the Turkish Government in putting down the revolt. His noble Friend had stated, very correctly, the progress of that insurrection. It was perfectly true that Wallachia and Moldavia had been for some time dissatisfied with the arrangements of the Turkish Government; and he believed that the Turkish Government itself was convinced that improvements and reforms were necessary to produce contentment and promote prosperity in those provinces. The conduct of the Turkish Government had been most satisfactory; for they had not only given an amnesty for what had occurred, but they had shown an anxious desire to investigate the causes of the discontent which prevailed, and to introduce such improvements as would satisfy the reasonable desires of the people. These matters, and the manner in which the evacuation should take place, were matters for discussion between the Russian Government and the Government of Turkey; and, pending these discussions, he was quite sure that his noble Friend would not—that he could not, consistently with his duty—produce the papers which he had called for. He agreed with his hon. and gallant Friend who seconded the Motion, that it was fitting for this country to maintain the moral position which a great country like this ought to hold, and must always continue to hold, unless by her own fault she forfeited it. He could assure his hon. and gallant Friend that it was the wish of Her Majesty's Government to maintain that position, and to maintain it by those peaceable means which his hon. and gallant Friend had so ably and so justly recommended. He was sure that the Government of every country which was strong in itself, and which could not be suspected of being actuated by fear in any tone which it might take in its communications with foreign countries, and which might, therefore, couch its communications in a manner not calculated to wound the feelings of any other country with which it might communicate, might, and must frequently, have it in its power to promote the progress of those principles to which his hon. and gallant Friend had adverted. With regard to the present question, Her Majesty's Government had taken the part which they thought most adapted to forward the objects which they had in view; and he trusted that the question of time would be the only thing between Turkey and Russia that could call for adjustment. He should have finished what he had to say long before, had he not been aware that some uneasiness existed out of doors, from an apprehension that the occupation in question might lead to an interruption of the friendly relations between Turkey and Russia; and certainly the orders given by the Turkish Government had tended to impress people with the notion that a rupture might take place. A proclamation had been issued by the Turkish Government, on the 5th of the present month, ordering the usual equipment of a squadron for summer exercise, and the march of troops towards the northern frontier, but disclaiming any notion of hostilities. Looking, therefore, at the assurances given by the Russian Government, and the well-known intentions and interests of the Turkish Government, he trusted that the apprehensions to which he had alluded would be found to have no foundation, and that the negotiations which were now going on between the Turkish Government and the Russian Government, at Constantinople, would terminate to the satisfaction of the parties concerned, and without disturbance to the general peace of Europe.

Mr. C. ANSTEY said, matters had now assumed so serious an aspect in the east of Europe that if England was what she had formerly been, she would not then be discussing the present question in the House of Commons. He maintained that a fearful blow had been struck at British interests when the first Russian soldier had passed the boundary of those principalities. They had seen on the part of Russia perfidy after perfidy, and fraud after fraud, and yet the noble Viscount the Secretary of State for Foreign Affairs told the House that he relied upon her honourable intentions, because she had signed the Treaty of June 1841. He contended that the English Government was bound to interfere, and to insist upon the immediate withdrawal of every Calmuck and Russian from that soil, which they polluted by their presence. These provinces were 30,000 square miles in extent, and no less than 20,000 of them were rich and fertile lands.

This territory was inhabited by a population now of upwards of 40,000,000. This population was capable of supplying our markets with every commodity which we were now reduced to purchase, at enhanced prices and inferior quality, in Russia. They were willing to receive payment for their commodities, not in money, but in British produce. The mouths of the Danube were so choked up with sand as to make it impossible to carry on properly the timber trade, which was formerly the most thriving trade in those parts. At this moment there were not more than eight or nine feet of water, and the vessels that could enter there were of too small a size to conduct properly that trade. Russia had beset every mouth and access with her quarantine regulations; so that if even a letter were allowed by the Russian authorities to pass, we owed it to their forbearance, or, as the phrase is —their magnanimity. The consequence was, that British trade in Moldavia and Wallachia was now wholly extinguished. Our merchants were forced against their will to go to Odessa and other ports, which, it might be said, enjoyed the advantage of the prohibitory tariff of Russia. The question the House had now to decide was, whether we were strong enough in our foreign, commercial, and political relations, to submit to this great loss of political influence and commerce in the territory he had described. If Wallachia was suffered to import and export freely, the trade of Russia was gone. So that this was a case of life and death to Russia. If the policy of Russia—and he was afraid he might say the policy of Great Britain—were suffered by Parliament to be carried out in respect to these provinces, he feared that what had been done in Moldavia and Wallachia would be imitated by Russia in every other part of the Turkish dominions, so that the future occupation of the Dardanelles would not be a question for the statesman to consider, but for the historian to record. He did not know what information the noble Viscount had received from his diplomatic agents in this quarter; but he was authorised to say, by one of the highest authorities on this subject, that every attempt was now being made by the Russian general and the troops under him to stimulate and exasperate, not only the population, but the Turkish army of occupation, to aggressive measures against Turkey. As to the noble Viscount's confidence in the disclaimer of Russia in respect to any aggressive intentions, it should be recollected that Russia had never yet invaded any country without heralding her advances by a disavowal of aggressive designs. It was quite clear that Russia would remain in these provinces in spite of all that had been said and done; so that it was too much for the noble Viscount to say that Russia would withdraw her troops. He should vote for the Motion of his noble Friend the Member for Marylebone; and he hoped that the noble Lord would not yield to any persuasion to withdraw it. If the noble Lord did give way, he (Mr. Anstey) should feel it to be his duty to ask the House to come to a division upon the question.

MR. MONCKTON MILNES trusted that the hon. Member would not persist in his intention to divide the House on this subject, for it would do no good to obtain an expression of opinion in so thin a House; and it would give a very erroneous notion of the opinion entertained as to the importance of the subject. He trusted that the hon. Gentleman would allow himself for the present to be satisfied with the declaration of the noble Viscount the Foreign Secretary. He did not agree with the hon. Gentleman the Member for Youghal as to the propriety of going back so far as to discuss the policy of the treaties of Akerman and Adrianople. If this country had failed, as was stated by the hon. Gentleman, as a matter of humanity, in seeing these treaties carried out, it was not the fault of the noble Viscount the Foreign Secretary. If the expectations of the noble Viscount were not fulfilled, he trusted that the whole subject would be again brought forward. It was very well to speak as if the fiat of England must at once settle all these matters; and he saw no good in concealing from ourselves the truth that the relations between Turkey and Russia could not always be arranged just as we wished; but still we could do much by exercising a moral influence. It should be recollected, that these relations were the relations of conterminous countries, and there had been going on for a very long period a number of circumstances which excited causes of dispute and difference. We should be cautious not to do anything which was calculated to increase the disturbance of the relations between them. It would be most indiscreet for a Minister of the Crown of this country to use such language towards Russia as the hon. Gentleman the Member for Youghal had resorted to. The forcible occupation of these principalities by Russian troops, and the making the inhabitants of these poor countries maintain and pay those troops, was an undoubted injury and injustice; and the noble Viscount would do well to make a representation to the Russian Government, that such proceedings met with the strong and general disapprobation of all parties in this country. He knew that this interference was justified in the dubious word protection; but experience, during the French revolution, and long previous, showed what acts were done under that name, and nothing could be more unjust than resorting to such a pretence. There was no doubt as to this protection, as it was termed, having originally been intended to be given with the view of defending the Christian inhabitants of those principalities against the violence and fanaticism of the Mussulman population; but matters now assumed a very different form, and it was in vain for them to suppose, however much they might conceive themselves to be justified by treaties in interfering, that they would not ultimately arouse public opinion throughout the rest of Europe to a pitch of indignation on this subject. He did not believe that this aggressive spirit was attributable to this or that Emperor of Russia; but it was the policy of that country, and it might be forced on the sovereign of that country rather than that the initiative originated with him. On this ground it was most desirable that no Russian sovereign should give any ground for the supposition that he was of an aggressive disposition. As for carrying out the favourite notion, said to prevail in Russia, of an empire from the Baltic to the Dardanelles, it never would be permitted by the maritime Powers. A general combination of other nations would be formed to prevent it, as was the case in the wars with Louis XIV. and Napoleon. If ever a war would be justifiable, it would be for such a purpose, as it would be indispensable for the safety of the rest of Europe. He looked forward to the continued invasion of these territories by Russia as an object which the noble Viscount should strongly keep in mind; and he (Mr. Monckton Milnes) was sure that, in any remonstrances, or other steps, which he might deem it expedient to adopt on the subject, he would secure the cordial support and assistance of France. Let him take firm ground on these matters, but take care not to dictate in a way which could not be enforced. He believed the advice of England would not be lost on Russia. If this advice was given wisely and opportunely, he did not despair that it would attain that very desirable result, of the restoration to these principalities of that independence to which they were entitled.

Mr. URQUHART felt that there was great truth in the objections urged. England could no longer stand by herself, or take her own part; but then they should not presume to discuss subjects on their merits. It was hardly necessary for him to give expression to his loathing as to the malignant influence of Russia on the foreign policy of other countries; but it was not against her, but her mean dupes and victims, that his indignation was aroused. He did not conceive that the thin attendance of Members that evening was a sufficient reason for abstaining from coming to a vote. On the contrary, he considered that to exhibit the thinness of the House on such questions, was the greatest service that could be rendered to England. He saw a number of Gentlemen on the opposite side of the House who had declared themselves in favour of international arbitration. They of course would not venture on a thought derogatory to their well-beloved Czar—under whom if they carried out their projects, they must place England and Europe to be arbitrated for as Poland, and pacified and set in order as Wallachia and Moldavia. He begged the House to recollect that the question before it was not a vote for papers, so as to enable them to obtain information; but whether or not, an aggression having been committed against an ally of the British Crown, we should stand by to approve by our silence. The noble Viscount the Foreign Secretary did not deny the aggression, but had showed his sympathy with the aggressors. He had pledged his word that this was merely a question of time; it had always been so between Turkey and Russia. The question of time was when Turkey should be relieved from the incubus of Russian domination, which for 150 years had pressed so heavily upon her. What further information did they desire—what further explanation could they receive? They knew this to be an aggression on a Power whose independence we had guaranteed by many solemn treaties. Her territories had been invaded by another ally of the British Crown, who was one of the parties guaranteeing that independence. Europe was menaced by two evils, Muscovite domination and popular frenzy. Turkey alone offered resistance to the former, and she was one of the few Powers unaffected by the latter. After the length to which the discussion had extended, he would not trouble the House further upon this subject; desirous as he might be to go over many parts of the subject—much as he might wish to expose the tyranny that had been exercised over the Ottoman Empire—and great as his desire might be to show how easy it would be for a Minister of England to manacle that power of Russia, before which they all trembled. He hoped his noble Friend would press this question to a division, if only for the purpose of showing how few Members were present, and how small was the amount of opposition which the House could present to the practices of the noble Viscount at the head of the Foreign Department. It was to be hoped that the avowal which that noble Lord had made, of entire reliance and perfect confidence in the acts of Russia in the East, would at least produce this effect, that, henceforward, that confidence would not be placed in him by the Ottoman Empire which the Poles had so bitterly repented having bestowed.

MR. HUME did not understand what the purport of the hon. Member's arguments were. He had raised the forces of Russia in his mind to an enormous extent beyond the reality, and in like manner he magnified the danger to be apprehended from that quarter. He (Mr. Hume) had always warned the House against the aggressions of Russia. One solitary voice had been raised in that House in favour of the Czar when he brought the question of Poland forward; but there was nearly the universal sense of the House expressed in his condemnation, and that decision was applauded by the whole nation. Was not that a check upon the despotism of the Russian Emperor, when the independent community of England censured his acts, and none of his allies approved of them? Was that no inducement for him to halt in his career of cruelty and tyranny? He, for one, believed that Russia was in as much danger as any State in Europe. The Emperor's counsellors were leading him into danger, and before long he might be as helpless as any of the despots whose kingdoms had been plunged into anarchy. The noble Viscount at the head of the Foreign Department, so far from extenuating the faults of the Emperor, had censured them. He had offered the advice of the independent people of England, and that was all he could do. When the noble Viscount spoke to the Czar, he was backed by the whole authority of the people of England, and that ought to have some weight. The noble Viscount's advice was an honest counsel; and he (Mr. Hume) thought it must have an effect—the more so, that his confident opinion was that Russia did not contemplate the permanent violation of the independence of Wallachia and Moldavia. Under the present circumstances, it was a wise policy in the Government to offer a moral influence in cordial co-operation with France; and he looked to this union as the means whereby the peace of Europe would be preserved. That object would be still further promoted by the co-operation of the other States of Europe; but so long as France and England were joined in a bond of union, they had the power to effect that object. At any rate, the explanation given by the noble Viscount ought to be satisfactory at present; and it would certainly not be wise to divide the House on the Motion. The noble Lord the Member for Marylebone ought to rest satisfied with the repeated declaration of the noble Viscount the Foreign Secretary, who had already answered the question now involved in the Motion, when he stated that the occupation of Wallachia and Moldavia by Russia was only temporary. That statement had been repeated by the noble Viscount; and for the several reasons which he (Mr. Hume) had urged, he thought he might fairly urge his noble Friend the Member for Marylebone not to divide upon the Motion.

MR. DISRAELI advised the noble Lord the Member for Marylebone not to call upon the House to divide. He would not, thereby, advance the interests he advocated. He (Mr. Disraeli) was opposed to those interests, and, therefore, the noble Lord would receive his advice with that qualification. The hon. Member for Montrose, as one of his reasons for recommending the noble Lord not to divide, said that he had sat in Parliament a long time, and that there had always been an unanimous feeling in the House against the policy of Russia—that that policy was never mentioned without being denounced; and he, therefore, proposed that the same course should be adopted which, he said, had been pursued on former occasions—namely, that these denunciations should be continued for the sake of their moral influence, but that a division was unnecessary. Now, the only inference which he (Mr. Disraeli) could draw from the circumstance of this constant denunciation, if it were so, would be against the advice given by the hon. Member; because speeches made in the House of Commons, and followed by no result, had apparently produced little effect on the policy of the Emperor of Russia. But he must remind the hon. Gentleman that his statement was not exactly accurate, that the policy of the Emperor had always been denounced, and never vindicated. He, for one, was not ashamed to say that on more than one occasion he had not scrupled to vindicate that policy. At this moment there were few who were not ready to admit that there had been on the part of Russia great forbearance, a great wish to maintain that peace which was a matter of so much importance with hon. Gentlemen opposite, and a sincere desire to secure the tranquillity of Europe. What might be the objects and designs of that Power he did not pretend to say, as he did not share in those powers of divination which noble Lords or hon. Gentlemen on either side of the House might possess; but he thought that it was a policy on which he might fairly congratulate this country, that a Power of the importance of Russia, under circumstances of such temptation as had offered themselves during the last few months, should have evinced a disposition, which no one could deny had not only materially tended to, but had been one of the main causes of, the preservation of peace. Contrast the proceedings of Russia, during the last twelve months, with that of the French Republic some forty or fifty years ago. Imagine the course open to a great and disciplined Power like Russia, had she chosen to seize the opportunity that had lately offered, and what suffering, what bloodshed, what loss of civilisation, must have been the immediate result, and the necessary consequence. Nothing, therefore, was, to his mind, more unwise than that hon. Gentlemen opposite should take every opportunity of expressing opinions concerning the character and conduct of one of the greatest Powers of Europe, not on account of what that Power had done, but of what that Power might do, according to the prophetic powers of those hon. Gentlemen. The conduct of Russia was to be decided upon by what she did; and it was apparent that her course in late transactions had been characterised by temperance and forbearance. In the instance before the House, the occupation of those provinces might have originated in a false interpretation of treaties, or in a misconception of the diplomatic position of Russia with those places; under such circumstances, the conduct of Russia, even though considered opposed to the interests of this country, or adverse to the law of nations, afforded one of those cases in which we must look with confidence to that Minister of the Crown — of whatever party the Ministry might happen to be formed—whose office it was to conduct such transactions. This was an occasion on which full confidence ought to be given, and negotiations allowed to have a fair trial. If the result proved hostile to the interests of England, then would be the time for the House of Commons to interfere; but to attack a great Power, not on ascertained facts, but on account of certain visionary results which might occur, was certainly not the way in which, as practical men, they ought to act. They might as well put an end altogether to the office of Secretary of State for Foreign Affairs, and to the whole diplomatic department of the country, as upon occasions like the present to express decided opinions with such very crude materials as they had to deal with; such a course must lead to results not only highly inconvenient to our diplomatic transactions, but dangerous to the tranquillity of Europe. He hoped the House would not divide upon this question, because, by so doing, a false impression would be spread abroad. He did not want the Emperor of Russia, or any other Power, to suppose that there was a want of sympathy in that House with any States who were not treated in accordance with the law of nations; but, at the same time, he hoped the Emperor of Russia would just understand that it was not the opinion of the House of Commons, or, as he believed, of the English people, that he was a despot whose conduct no one could vindicate, and that the whole object of his career was to tyrannize over mankind. He hoped the Emperor of Russia would understand that speeches like that of the hon. Member for Montrose were no fair representations of what was felt by the majority of that House, or by the majority of the people of England. He (Mr. Disraeli) believed, on the contrary, that the general opinion of the sensible portion of the community was, that, without giving an opinion on the constitutional or political circumstances of the people of Russia as they exist, they did recognise in the ruler of that country an individual of great ability, marked among those who occupy the thrones of the world as a man of intellectual power, and who had, upon the whole, exercised his influence with a due regard to the duties which had devolved upon him. As to speaking of the Emperor as if he had committed some outrage on human nature, in not having been born under a constitution of King, Lords, and Commons, and in not having a Parliament and Parliamentary Committees to keep him in check, he did not believe that such was the disposition of the majority of that House, or the feeling of the people who were walking in the street at that moment. The time had gone by for such crude and ignorant sentimentality to have its unchecked course. The hon. Member for Montrose had boasted that, for thirty years, he and others had, without fear of criticism, gone on pronouncing such opinions on the conduct of the Emperor of Russia, and talking what in his (Mr. Disraeli's) opinion was — and he hoped the hon. Member would forgive him saying so —unmitigated nonsense. They submitted the acts of the Emperor to the same criticism as they would apply to the conduct of the Sovereign of these dominions; and because he was not surrounded with constitutional checks, they described him as not only a despot, but as a sort of ogre, causing and exulting in the misery of humanity. He (Mr. Disraeli) could not concur in these views, regarding, as he did, the Emperor of Russia as an able personage, who, throughout his career, had proved himself in advance of the people he governed, and who at this moment was as fairly entitled as any of those who occupied thrones, to the respect of mankind.

SIR H. VERNEY remarked, that if the Emperor of Russia was as forbearing and moderate as had been represented by the hon. Member for Buckinghamshire, he might on recent occasions have exercised a very powerful and beneficial influence in promoting peace—and in illustration, he (Sir H. Verney) would refer the House to the case of Denmark and the contested claims upon the duchies of Schleswig and Holstein. Other Powers had expressed strong opinions upon that question, but Russia none. The subject before the House was of great importance, but he doubted the expediency of a division.

MR. J. A. SMITH dissented very decidedly from the opinion expressed by the hon. Member for Buckinghamshire, that there was no general feeling in and out of that House against the policy of Russia. His belief was, that there was a very strong and general feeling against it, and that the Emperor of Russia, perhaps from the policy of necessity, was the unscrupulous and determined enemy of the progress of constitutional liberty. The hon. Member for Buckinghamshire, in recommending confidence in the statements of the noble Lord the Foreign Secretary, seemed to have forgotten the plain, honest, and undisguised opinions which that noble Lord had expressed in his place in Parliament concerning the conduct of Russia. He (Mr. J. A. Smith) joined with those who advised his noble Friend the Member for Marylebone not to divide; but at the same time he thanked his noble Friend for bringing the subject under consideration. The moral influence of opinion would, on this as on other occasions, have its full force and effect. He had full confidence in the noble Viscount the Foreign Secretary, and he could not forget how justly he claimed that confidence, believing that it was to his policy that we owed those relations with France upon which mainly depended the peace of the world. He (Mr. J. A. Smith) concluded by saying that while he deprecated harsh language, he protested against the occupation of Wallachia and Moldavia as an oppression upon the rights of humanity.

MR. J. O'CONNELL congratulated the hon. Member for Buckinghamshire upon the cause and the client he had taken up. He (Mr J. O'Connell) agreed with the last speaker, except as regarded harsh language being applied to the conduct of the Emperor of Russia; for if there was any occasion when it was excusable to use strong language, it was when the proceedings of that monster were under consideration. What was he but the scourger of women, and the destroyer of men? Let the House remember the case of the unfortunate nuns of Minsk, who were brutally flogged and otherwise abused, and all with the full cognisance and express written approbation of the client of the hon. Member for Buckinghamshire. Upon these poor women, devoted to religion, guilty of no crime or fault against man or God, a ruffian soldiery were left to commit the last violence, and to commit murder. And the hon. Member for Buckinghamshire stood up to defend this man. But was this all that had been heard of the acts of this Emperor—of men being banished for fifteen years for crime merely imputed—of the conscription of the Polish children, torn from their mothers, and exiled to Siberia, and when some of the little creatures pined and died upon the road, more of them being taken to make up the number required by this hideous monster. He was glad that a protest on the subject before the House had been made in moderate and temperate language. Yet no man of humanity could blame him for using strong language in expressing, not morbid sentimentality, but the feelings of a large portion of the English people. He knew he spoke the sentiments of the Irish people. He would vote with the noble Lord if he pressed his Motion to a division.

Lord DUDLEY STUART, in reply, said: I give full weight to the opinions of those hon. Members, whether agreeing in my views or not, who have recommended me to withdraw the Motion. I have heard with some surprise the hon. Member for Buckinghamshire say, that on this question, he advocates opposite interests to those espoused by me. I am endeavouring to defend the interests of the Turkish empire; and I think I recollect that, not very long ago, the hon. Member for Buckinghamshire, in a most eloquent speech on the question of Servia, expressed as strong an opinion on the importance of maintaining the integrity of the Ottoman empire, as could possibly be imagined. I have, throughout my observations, endeavoured to express myself with temper and moderation, and I will not be seduced by the exaggerated language in which the hon. Member for Buckinghamshire has thought proper to support his views, or be led to resort to intemperate expressions by way of retort. This is the more easy for me, as I am at present in very good humour. I am very much pleased, and have reason to be so. The opinions of the hon. Gentleman appear to find no echo in the House—and I am sure they will find none in the country, which is much more likely to coincide with the feelings of the hon. and learned Member for Limerick. I confess I have heard the observations of that hon. and learned Member with pleasure. Such generous sentiments do honour to him who delivers them, and to the assembly which receives them with approbation. The hon. Member for Buckinghamshire, however, takes another view—and he has a right to his opinions. His motives, no doubt, are excellent. Possibly, he may think, now that his contemptuous treatment of the Consolidated Fund, which he termed a dunghill, has made his being Chancellor of the Exchequer out of the question, that, in the Protectionist Government which is about to be formed, the post of Secretary of State for Foreign Affairs may suit him, and that, in that situation, it will be more easy and agreeable to him to carry on business if he be on good terms with the Czar. The hon. Member has pronounced the most unbounded eulogium on the Emperor of Russia. He has said that he is the most magnanimous, the most peaceable —the least ambitious of sovereigns, and the least likely to cause apprehension to other States; but I think, notwithstanding this, that the hon. Gentleman has betrayed, in the course of his speech, considerable doubts of the accuracy of what he has himself stated; for he has proclaimed it as matter of congratulation that the Emperor of Russia has not interfered with any other country. Why, what right has he to interfere in the affairs of other countries? What reason is there for him to do so? How can he intervene without violating the faith of treaties and the law of nations? He has, in fact, interfered in the only quarter in which he durst. The hon. Member for Buckinghamshire said that he was not gifted with the power of divination, as we on this side of the House seemed to be, so as to divine the intentions of the Emperor of Russia. As we judge of a tree by its fruits, so we, seeing what Russia has done —what has been her conduct in Poland, in the Crimea, and in Turkey—how, by insidious proceedings, she has extended her frontiers and enlarged her territory, we naturally conclude that she is going to do that which she has done before. I believe that all the Turkish empire wants, is some moral support from this country. When two such countries as France and England are, as happily they now are, cordially united, I do not believe that, if they spoke out and declared their opinions forcibly, they would find any country in the world to go against them. I am gratified that the noble Lord the Foreign Secretary appears to participate in my views. I must, however, correct one error into which the noble Lord appears to have fallen. The noble Lord has stated that the Russians were invited into the principalities by the authorities. I believe that the Hospodar of Moldavia invited the Russians, but that it was entirely against the will of the mass of the population. As to Wallachia, the Russians entered it gratuitously, without any invitation whatever, and after all pretext had been taken away by the Turks. The noble Lord professes to feel great confidence that the Russian troops will withdraw, and says that it is only a question of time; but during this time the unfortunate inhabitants of the principality are forced to pay for the maintenance of these sixty thousand Russian troops. The noble Lord has been deceived before in this very instance by the Russians, who told him last year that they were going to evacuate Moldavia. The noble Lord says that, except as regards the subject of the present Motion, the conduct of Russia had been marked by dignity and forbearance. The exception is a large one. It reminds me of what recently occurred to a friend of mine, who is known to many hon. Members—I mean the celebrated writer, Mr. Charles Dickens. He was walking in the street, when he felt a man put his hand in his pocket; he seized him, and had him taken before the Marylebone police court, where he himself attended. Mr. Dickens, having visited the prisons, recognised the man as one whom he had before seen, and said, "Have you not been in prison before?" "No, never," was the answer. A policeman who was by, and happened to have conveyed him to prison, immediately nudged him, and exclaimed, "What are you talking about?" "Well," said the prisoner, "I never was —except for two months." Russia has not interfered in the affairs of any other country, except to march an army into the territory of a neighbour, and to take possession of provinces with which she has no right to interfere. In reference to the Motion before the House, the noble Lord the Secretary of State for Foreign Affairs having stated that the production of the papers might interfere with negotiations now pending, I shall acquiesce in the recommendations made to me from all quarters; and, satisfied with the expression of opinion I have elicited from the noble Lord and from the House, I will not insist on going to a division.

Motion, by leave, withdrawn.

MILITARY AUTHORITIES OF MADRAS.

MR. ANSTEY rose, pursuant to notice, and said, after the time occupied in the discussion of the Motion of the noble Lord the Member for Marylebone, he would content himself with a mere outline of the facts of the case upon which his notice was founded. In the year 1844 a court-martial had been held upon seventeen sepoys, private soldiers in the Madras cavalry, for an offence committed, or alleged to have been committed, in the year 1843. He disputed the fact that any offence had been committed, and was prepared to show that it was a case of the greatest tyranny. According to the Madras pay regulations, copies of which he had moved for, the sepoys, when leaving their stations for field service, were in the habit of receiving an increase of batta to enable them to bring their families with them. The Marquess of Tweeddale refused to allow this addition to the regiment in question, on an occasion when they had been ordered on field service, and for four days the regiment would not move, not consenting to saddle their horses. The Marquess found subsequently that he had committed a mistake, and gave orders that they should receive the batta as before, and the consequence was that the men returned to their duty. The Marquess of Tweeddale, however, expressed his dissatisfaction with their conduct, and informed them that, in consequence of what had taken place, they should not be selected for some post of honour for which they had previously been destined, but should be detained where they were. They were then put on ordinary duty for nine months without interruption, and, to the astonishment of every person in India, after that period had expired they were tried by a court-martial on a charge of mutiny. Some native officers who had been examined at that court-martial for not giving evidence of mutiny, conspiracy, and administering of oaths, of which they might not have been cognisant, had been subsequently dismissed the service. The men had been tried for a capital offence by a court consisting of only seven officers, although it should have consisted of nine members; and, moreover, the accused had been refused copies of the charges against them, as well as the assistance of professional men for their defence. So strong a sensation had been created by the affair, that an old peninsular officer had asked the Marquess of Tweeddale not to enforce the sentance. However, two of the mutineers had been shot, one acquitted, and one pardoned for giving Queen's evidence, and thirteen had been sentenced to banishment for life. All had been, however, subsequently pardoned, except two, who were transported for seven years, and it was for the recall of these two latter persons his present Motion was made. He had no interest in the present matter. It was chiefly promoted by persons of high respectability in India, who had no possible quarrel with or pique towards the Court of Directors, or the right hon. Baronet the President of the Board of Control. He contented himself, then, with moving for the papers of which he had given notice, but he could promise when they were produced to institute a more searching inquiry into the matter to which he had referred. The hon. Member concluded by moving—

> "That there be laid before this House, Copies of the Proceedings in the Court of Inquiry and the Court Martial held at Arcot in the year 1844, in the case of the alleged mutineers of the 6th Regiment of Madras Light Cavalry, and of all Memorials and Correspondence relative thereto, or to the punishments or commutations of the punishments of any such mutineers; and also, of the Madras Pay Regulations, and the Native Mutiny Act."

Mr. J. O'CONNELL seconded the Motion.

Sir J. C. HOBHOUSE said, that when he saw the notice which had been originally given, he was in hope that the hon. Gentleman would not bring forward this question. For the many years that he had been in Parliament he did not think that he recollected a single instance in which the proceedings of a court-martial either in England or in India had been the subject of an inquiry before a Committee. In this instance, the inquiry was in 1843 and the court-martial in 1844; and why was it that this transaction, if it was so monstrous, had hitherto slept? Why had not the indignation which was so universal in India reached this country? He thought he could explain to the House of Commons why it was that, after having slumbered and slept, it had been brought forward on the present occasion. Although the parties who gave the hon. Member for Youghal information might be most respectable gentlemen, yet the hon. Gentleman must permit him to remind him that the commencement of this attack on the Marquess of Tweeddale began with the presentation of a petition to the House of Commons, which being referred to the Committee that sits on petitions, the same petition was found to be so libellous that they refused to place it upon the table of the House. It was perfectly true that the hon. Gentleman had, with a wisdom for which he was to be applauded, proceeded upon the statement, as far as the House knew, of the petition; but it was his (Sir J. Hobhouse's) duty to state to the House, in defence of the Marquess of Tweeddale, what he believed to be the case—viz., that had it not been for some unfortunate transaction which took place with respect to the petitioner, Mr. Malcolm Lewin, the House would not have heard of this transaction. There was some unfortunate difference between the Marquess of Tweeddale and Mr. Lewin; that gentleman, having been in several places of high trust in Madras, having been made a member of the council, being in the enjoyment of consideration in the presidency, and against whose private character he had not a word to say, pursued a course of conduct which forced him (Sir J. Hobhouse) to perform a most painful duty—he was removed from the provisional council of Madras, and was obliged to quit India. This was the plain and unvarnished statement of the facts as to this gentleman, the petitioner against the Marquess of Tweeddale. If the hon. Gentleman who had brought forward this case, chose on any future occasion to call for papers, it would be his (Sir J. Hobhouse's) painful duty to present papers signed by the gentleman, which would be a full justification for the course pursued by the Marquess of Tweeddale and the Court of Directors and the Board of Control. The hon. Gentleman's statement was founded almost verbatim on the statement made by Mr. Malcolm Lewin. He had told the hon. Member privately what he now said publicly, that he was confident there was no case, and that the moving of this matter originated from a great deal of private feeling. Having said this with reference to Mr. Lewin, who first presented the petition to the House, which could not be printed on account of its libellous matter, he would advert shortly to the statement made by the hon. Gentleman. He held in his hand the general order which the Marquess of Tweeddale published on the 2nd November, 1844, in which he found an hitherto uncontradicted report of the whole of this transaction. The reason why these men could not be tried at the time their mutinous conduct took place was this, that a great portion of the whole regiment was implicated in the transaction, in consequence of the disappointment arising from the batta question; also, because they were stationed, not in the Madras presidency, but in the Bengal presidency; and it was thought it would not be right that they should be there tried and afterwards marched into the presidency to which they belonged. At the time the transaction was going on, it was expected that a general action would take place, which did shortly afterwards happen, viz., the celebrated battle of Gwalior. If an immediate inquiry had taken place it would have been necessary to have had artillery on the ground to enforce the orders of the Commander-in-Chief, for it was not certain it might not be necessary to fire upon them. In this state of things was it not right that the regiment should be removed from the scene of dispute; and that before the inquiry took place it should be in such a quarter that the result of the inquiry could do no mischief? As to the time that had elapsed he granted that it was a misfortune; but that arose from circumstances over which the Marquess of Tweeddale had no possible control. The mutiny was one of the most serious character. It embraced not only the privates but a great number of the native officers. Secret oaths were taken, meetings were held; there was a positive refusal to go upon the line of march; they would not parade upon duty; there was the violation of all duty, without which it was impossible that any discipline could be maintained. Was it not rather an awkward time to make these complaints against the mode in which military discipline was maintained in India? If it were true that the Marquess of Tweeddale was guilty of injustice, and tyranny, and cruelty;—if that could be proved, and the hon. Gentleman had moved only for the papers, it would have been a proceeding more conformable to common usage. Was this the time that any man invested with so high a character as the Marquess of Tweeddale could be guilty of that with which the hon. Gentleman charged him? The real fact of the case was just the contrary. The Marquess of Tweeddale was too much of a gallant soldier to be a cruel man, and too honourable to shift from himself the responsibility which fairly belonged to him. There were no less than 13 men condemned to be executed, and of these 13 the Marquess of Tweeddale required the execution only of two, and they were the two who had administered these illegal oaths, or who had endeavoured by combination to destroy all discipline in the Army, and to march back this regiment to a quarter where it was to be headed by a zemindar or subahdir of its own. He thought it must be clear to any dispassionate judgment, therefore, that under the circumstances of the case, no unnecessary severity of punishment had been visited upon these men. He deemed it a fortunate thing that this case was one of no recent occurrence. It was almost unnecessary for him to remind the House that the first representations upon the subject were addressed to the Home Government, at a period when it was presided over by the right hon. Baronet opposite, the Member for Tamworth. Now, although he (Sir J. Hobhouse) had not at that time, of course, any official connexion with the Ministry of the day, yet from former associations and old connexions with the Government of India, he naturally felt a great interest in the affair, and took care, at that time, to institute inquiries into the particulars in quarters which he thought the most likely to furnish him with the desired information. The result of those inquires had satisfied him that the views which he had ever since entertained upon the state of those transactions were correct. He believed he was not mistaken in affirming that the Home Government of that period referred the case to the Duke of Wellington for his Grace's opinion. He held in his hand a copy of the minute which his Grace the Commander-in-Chief thereupon had drawn up; and without occupying the time of the House by reading extracts from it, he would only remark that that distinguished personage had handled the question with all that clearness, precision, and sound judgment which he was so well known to bring always to bear upon any military topic. There were many others in the regiment who were proved to have been guilty of acts of decided insubordination; but the thirteen whose offences had been adjudged to amount to mutiny were condemned by the court-martial to death. The minute adverted to the fact that many of these parties had been sent down to take their turns, in the regiment, of certain duty after the inquiry had taken place; and it seemed to be assumed that they must have had reason, therefore, to suppose that no sentence would be enforced against them. But it seemed very doubtful whether they had at any time done anything more than mount guard about the tent of their commanding officer. There was no pretence to assert—and he believed no evidence of the fact—that, in all the interval which elapsed before the execution of the capital sentence on the two mutineers condemned to death, they were brought under fire.

Had they been brought under fire, the Duke of Wellington admitted that, in the event of the question having been referred to him, it would have been the inclination of his mind to recommend them as objects of mercy. But this state of things could not be pleaded as their case. He did not think it necessary to go much further into this distressing subject. ["Hear, hear!"] Well, it was a distressing subject, though not to him in particular, except in so far as he regretted that the hon. Gentleman from whom that cheer had just now proceeded, should have thought fit, at a period like the present, to dring forward a Motion of so untenable and so mischievous a character. For his own part, he must certainly object to the production of the papers moved for. He believed it was not very often indeed that the minutes and proceedings of courts-martial were ever called for in that House, and they were certainly never laid before it except on grounds of far more weight and expediency than any which the hon. Gentleman had been able to assign in calling for those now in question. It must be assumed—and he thought it only fair to assume—that military courts generally administered military law with fairness and impartiality; nor could he be brought to believe, except upon the most clear and positive evidence, that British officers, in high military stations, had any such political tendencies to exercise the authority with which the law invested them, in dealing with offences of this nature, with such unnecessary harshness or tyranny as should induce the House to support an application like that before them, which went to revive, before Parliament, the proceedings of a case so long by-gone, without any adequate reason stated to justify such an appeal. The pardons granted to the other parties who had been proved guilty of mutinous practices, were extended to them at a subsequent period, simply on account of the good conduct afterwards manifested by them. It was thought necessary after justice had been done upon the two criminals, who, in addition to specific acts of personal mutiny, had been detected in administering oaths to their comrades, binding them to refuse discharging their duties of rendering obedience to their officers in future, and thus attempting to debauch the fidelity of whole regiments, that the pending sentences against the other parties should be tempered by mercy and consideration manifested for those who by their confessions had not been drawn into the same malpractices. Upon these grounds, then, he could not consent to the production of the papers.

Mr. J. O'CONNELL thought that no clearer evidence could be adduced of the weakness of the case which the Government had undertaken to vindicate, than that the right hon. Baronet the President of the Board of Control, with all his ingenuity and talent, could make out no better one than he had attempted to establish in excuse of these proceedings. It was idle to press upon the House the length of time which had elapsed before this grave complaint had pressed its way to the ear of Parliament. That delay was quite sufficiently accounted for by the general inattention or indifference which was paid in England to Indian affairs, and by the necessary lapse of time that would always intervene before such complaints, from such distant quarters, could reach their destination. But there was one important point in the case on which the right hon. Baronet's speech had not touched at all. The whole of these sentences were necessarily illegal, because they had been passed by a tribunal manifestly not constituted according to the Articles of War. Article 7 expressly required that no court-martial should be competent to pass sentence of death unless it was composed of thirteen officers, except within certain limits. This court was assembled at Arcot, and therefore not within the jurisdiction which alone could have made any lesser number of officers a competent tribunal to pronounce a capital sentence; and it consisted only of seven officers. But there was yet another informality. It was declared that the court should not consist of less than nine officers to give effect to its sentence. Now, how the sentence of seven could comply with this condition, he was yet to learn. The plea of inconvenience was one he had been surprised to hear urged by the right hon. Baronet against a case which involved questions so important to law and justice. He should support the Motion.

Mr. HUME expressed a similar intention. There were some points connected with these transactions which loudly called for explanation. What he wanted to know was, why were their several sentences suspended over the heads of these men for nine long months—most of the men in that interval, too, being allowed to do duty of a certain kind—if it was intended finally to punish them? No man was better aware than he was of the absolute necessity for maintaining discipline and subordination in an Indian army, and repressing by exemplary punishment any attempt at mutiny. But to keep such sentences as these in abeyance for such a period, appeared to him a proceeding as illegal as it was cruel. Then came the next question. If there was anything in the excuse that it had been attempted to plead for the delay—namely, the difficulty of finding an adequate number of officers properly to constitute the court which was to try the offenders—why were not the men marched at once into some one of their numerous military stations, in any of the three presidencies, wherein the assistance of an abundant supply of officers could have been immediately secured? Far from thinking that this was, for reasons which the right hon. Baronet who had just spoken had rather hinted at than stated, an improper time for instituting such an inquiry as it was the object of the Motion for these papers to establish, he contended that this was, of all others, the most proper time for such a purpose. It was now most essential to impress the minds of all our native soldiers in India with the conviction that the British Parliament would insist on their being treated according to the institutions of law and justice. Here had been great responsibility incurred, in the first instance, by the extraordinary conduct of superior authorities somewhere. He wanted to know, first, who ordered the war batta allowance to be withdrawn? Was that withdrawal — afterwards repudiated by the act of the Indian Government themselves — a legal or an illegal act? He, for one, attached no sort of value to the report of Mr. Lewin, on which the right hon. Baronet had laid much stress in his speech. He thought it had been introduced into the debate rather for the purpose of distracting the attention of the House from the main question before it, than affording any information to guide the judgment of hon. Members upon it. The point which neither the right hon. Baronet nor Mr. Lewin's statement had touched, was the all-important one—had the Marquess of Tweeddale exceeded his powers and the law by ordering the execution of those two men, so long after their sentence had been passed without being acted upon? He was strongly of opinion that these papers should be granted.

MR. ELLIOT desired to explain the manner in which the discussion had originated about the order for the reduction of the batta allowance. No doubt, such an order was issued by a mistake on the part of the official finance authorities at Madras; but the mistake was discovered and rectified within two days. In that time a new order was promulgated, retracting that which had diminished the batta, and putting the allowance on the old footing. When it was argued, therefore, that this reduction had been the cause of the meeting of these sepoys, it should be understood that they continued under such misapprehension for no longer a time than forty-eight hours. How could such a plea, then, be urged for the insubordinate courses to which the men committed themselves? It was quite impossible that the mutinous conduct of the troops could have passed unnoticed. The natural course would have been, to institute an inquiry on the spot; but, for certain reasons, it was necessary that a removal should take place. They were marched into their own territory, and the trial took place immediately on their reaching Arcot. Until that time the ringleaders were unknown. Thirteen of them were then arrested, tried by a court-martial, and sentenced to be shot; but the Marquess of Tweeddale confined the punishment to two cases. The example was found to have had a good effect; and the regiment having returned to its duty, the noble Marquess determined to make the punishment as lenient as possible. He was not then prepared to offer any explanation with respect to any of the other points that had been raised in the course of the discussion.

MR. AGLIONBY supported the Motion. He thought it due to the characters of all those connected with the prosecution of the court-martial, as well as the character of the proceedings itself, that some further explanation should be given. The right hon. Baronet the President of the Board of Control intimated that he had the means of giving an explanation — that he had the papers in his possession—but he declined to do so. It would have been as well now, perhaps, after the lapse of so many years, that the subject had not been revived; but as it had been raised, it was absolutely necessary that the public mind should be satisfied, and that the matter should be set at rest. The hon. and learned Member for Limerick, quoting from the Articles of War, clearly showed that the court-martial itself was illegal—that injustice had been done, and that the law had been transgressed—yet, not one word of explanation had been offered with respect to that subject by the right hon. Baronet or the Secretary of the Board of Control. The public mind would require to be satisfied, and after a public discussion of the matter in Parliament the papers relating to it should certainly be produced.

Sir R. PEEL said, that after the allusions that had been made to him in the course of this debate, he could not remain altogether silent whilst the discussion was proceeding. He had not expected this Motion to come on, or he would have made himself master of the facts of this case, so far as the Government with which he had been connected was concerned; and he was bound to say that he had not now such a recollection of those facts as would enable him to bear his testimony with reference to these transactions. He could not, however, agree with the hon. and learned Gentleman who spoke last, who thought it a great misfortune that this matter should now be brought forward after so long a time had elapsed; and yet, because one single Gentleman chose to bring it under discussion, considered that the Parliament must be fettered by the indignation of a single individual, and had no option but to proceed to an inquiry. [Mr. Aglionby: No, no!] He did not quarrel with the hon. Member for Youghal for bringing forward this Motion. He was doubtless actuated by his own sense of justice; but other persons might be less discreet and less prudent; and if any other Gentleman chose to bring forward a Motion for inquiry of a similar nature, and if the House were unanimously of opinion that it would be unwise and improper to discuss the question, and yet were to be told that the question having been started, they had no option but to vote for the inquiry, he must say he could not assent to such a doctrine without the utmost reluctance. In the first place, with regard to courts-martial, it would be very inconvenient if that House were to be made the court for the revision of the decisions of every military tribunal. Military men were frequently compelled to assume grave responsibility, and proper allowance ought to be made for the position of those who being intrusted with the management of military affairs, were called upon to meet particular emergencies. From all he had known or heard of the Marquess of Tweeddale, and from his long and distinguished career under the Duke of Wellington, he (Sir R. Peel) felt a strong conviction, that he was the very last man who would be guilty of oppression or cruelty. He believed all his tendencies were tendencies to kindness and forbearance towards his brother soldiers, and not to any undue or excessive harshness of military discipline. Now, what were the circumstances of this case? Certain soldiers were tried and found guilty of administering illegal oaths, binding the privates of a certain regiment not to perform their duties. There was no sudden, instantaneous act of severity. A long time—nine months—elapsed between the arrest and the trial. He was not to sit in judgment with regard to that delay—he was satisfied that many reasons might exist to cause that delay—gentlemen connected with India, and with military affairs, thought that such reasons did exist; and must he not act in some measure upon confidence in others in judging of such matters? If the sentence had been instantaneous, and the execution sudden, there might have been room for suspicion that an act of severity had been committed through excitement; but when nine months were suffered to intervene before the execution of the sentence, and when thirteen men having been condemned, two only, and those the ringleaders, were executed, he must say that such facts raised a strong presumption in his mind that, no unnecessary severity had been practised. He heard, moreover, that the Duke of Wellington, the Commander-in-Chief, had inquired into all the facts of the case, and pronounced a deliberate judgment that, upon the whole, the sentence was perfectly justifiable, and that no such — [Here some hon. Member made a remark, in interruption, but its import did not reach the gallery.] Hon. Gentlemen might disregard the opinion of the Duke of Wellington; and if it was to be a question of authority on military duties between this House and the Commander-in-Chief, they might certainly supersede him in the exercise of his functions if they thought proper; but he was perfectly convinced of this—that the British Army would be much less satisfied with their decisions. It was utterly impossible that this House could discharge all its other legislative functions if they were also to sit as a court of appeal upon matters of this kind; and, with a perfectly safe conscience, he should give a vote against the precedent for revising the sentence of an East Indian court-martial.

MR. AGLIONBY rose to explain that he had never said, that if any Member of this House chose at any time to reintroduce a matter of this kind, which had long been allowed to slumber, the House was bound, however ill-advised it thought the step, to agree to an inquiry: he had never wished to lay down any principle of this kind. What he said was, that he might regret, that at such a distance of time, and with very little prospect of advantage either to the parties or the service, a question of this sort should now be brought forward; but,that after the Articles of War, as quoted that night, showed that a number of men had been condemned by an illegally constituted tribunal, and two of them executed, it was desirable, in behalf even of the authorities themselves, to mention no other consideration, that, seeing those Members of this House connected with the Government of India had given no answer or explanation on the subject, that an investigation to clear up the matter should take place.

The ATTORNEY GENERAL would appeal to his hon. and learned Friend the Member for Youghal on the ground of his knowledge of the practice of the profession, and confidently ask him to withdraw this Motion. He (the Attorney General) hoped to be able to dispose of this Motion without the necessity of adverting to the facts, because by it they were called upon either to lay down a very bad precedent, or were bound to resist the attempt now made to lay such a precedent down. Assuming that they had the papers brought there to refer them to a Select Committee, for the purpose of appealing against a decision of the constituted military authorities, they would actually be referring it to a Select Committee of unpractised non-professional Members of the House of Commons to determine the question of the legality or illegality of the constitution of a court-martial. If the House were about to supersede the authority of the Commander-in-Chief, this effect would certainly spring from it, that they would be letting the soldiers of the Army know that, whenever they thought they had reason to be dissatisfied, they would always find this House open and ready to listen to their appeals. What must be the effect of a course like that which the hon. and learned Gentleman had taken? The result would be that in every case they would have appeals from military tribunals. It would be a most dangerous precedent to set, and destructive of all subordination in the Army. Were the soldiers in India to have a right of appeal on every question of this sort, and were they to assume that the Government had not done their duty? In conclusion, he again appealed to his hon. and learned Friend to withdraw his Motion.

MR. ANSTEY said, that it appeared to him that his hon. and learned Friend who had just sat down had completely answered what had been said by the right hon. Baronet the Member for Tamworth. The right hon. Baronet said that he (Mr. Anstey) had not made out a sufficient case for the production of the papers, while his hon. and learned Friend the Attorney General seemed to think he had gone too far, and if the papers were granted, the House must appoint a Committee to show whether or not the Marquess of Tweeddale had been guilty of murder. He was sure hon. Gentlemen would recollect that he had given notice of this Motion before the receipt of the late disastrous news from India. On the receipt of that news, he consulted some friends whether he should persevere with his Motion, and, under their advice, he did so. He considered that the main point in his case had been altogether overlooked, namely, that the case was not tried till after the men had returned to their duty, and they had on their removal to Arcot been punished for their offence. They had been told that night that there was not an opportunity of the parties being tried before, but their removal to Arcot disproved that. The Marquess of Tweeddale, and all the officers, knew who the men were who had been guilty of the mutiny, and yet they had been employed about him prior to the trial. The moment the men refused to mount their horses, the mutiny was committed. The administration of the oath was only an aggravation; and the evidence relative to those oaths completely broke down. The fact was, the troops were punished for their mutiny by being removed to Arcot, and deprived of the honours of Gwalior; and, therefore, they ought not to have been tried a second time nine months afterwards. It had been said that there was no precedent for his Motion; but if there were not with regard to courts-martial, there had been inquiries with regard to higher courts, to consider the conduct of corrupt judges, unjust jurors, and profligate Attorney Generals. But the House had even inquired into the decision of a court-martial with regard to Lord Brudenel (now Earl of Cardigan), and it was owing to that interference that the noble Lord came out of the inquiry in a manner which was highly to his honour. The reason why these cases were not more frequently brought before the House was, that they very rarely occurred. This, however, was not the only case of mutiny which had occurred in India. There was a case in which the British troops, with matches lighted and colours flying, proceeded to take possession of a fort from the servants of His Majesty George III., in order to procure the payment of their batta. The senior officer in that case was dismissed the service, but two years afterwards he was reinstated, and last year—if he was not so now—he was the Chairman of the Court of Directors of the East India Company. With this example before their eyes, these poor men might think that they were not so much to blame. He did not say this with a view of excusing their conduct. He thought they ought to be punished, but he did not think they ought to be punished twice, and for that reason he must press his Motion to a division.

The House divided:—Ayes 14; Noes 54: Majority 40.

List of the AYES.

Aglionby, H. A.
Fox, W. J.
Hastie, A.
Hodgson, W. N.
Hume, J.
Kershaw, J.
Lawless, hon. C.
Meagher, T.
O'Connell, M. J.
Pearson, C.
Pechell, Capt.
Stuart, Lord D.
Thompson, Col.
Urquhart, D.

TELLERS.
O'Connell, J.
Anstey, T. C.

List of the NOES.

Acland, Sir T. D.
Arundel and Surrey, Earl of
Baring, rt. hn. Sir F. T.
Bellew, R. M.
Blackall, S. W.
Blair, S.
Brotherton, J.
Clay, J.
Corry, rt. hon. H. L.
Duncuft, J.
Ebrington, Visct.
Elliot, hon. J. E.
Ferguson, Sir R. A.
Fordyce, A. D.
Goddard, A. L.
Granby, Marq. of
Hay, Lord J.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Henley, J. W.
Herbert, rt. hon. S.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Howard, Lord E.
Jervis, Sir J.
Lewis, G. C.
M'Gregor, J.
Mahon, The O'Gorman
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Newdegate, C. N.
Paget, Lord A.
Palmer, R.
Palmerston, Visct.
Parker, J.
Peel, right hon. Sir R.
Raphael, A.
Rendlesham, Lord
Rich, H.
Romilly, Sir J.
Russell, F. C. H.
Scott, hon. F.
Somerville, rt. hon. Sir W.
Strickland, Sir G.
Stuart, J.
Tenison, E. K.
Thornely, T.
Tufnell, H.
Verney, Sir H.
Willcox, B. M.
Wilson, J.
Wood, rt. hon. Sir C.
Wyld, J.

TELLERS.
Hill, Lord M.
Grey, R. W.

PROTECTION OF JUSTICES (IRELAND) BILL.

Bill, as amended, considered:—Amendment made:—Motion made, and Question proposed, "That the Bill be read the third time To-morrow."

MR. J. O'CONNELL opposed the measure altogether, as being injurious to the poor man, and as depriving him of all means of redress against magistrates who acted unjustly. He therefore moved, that it be put off for six months.

Amendment proposed, to leave out the word "To-morrow," in order to add the words "upon this day six months," instead thereof.

MAJOR BLACKALL defended the gentry of Ireland from the supposition that they would act unjustly.

SIR W. SOMERVILLE briefly defended the Bill, and explained that it was intended by it to give the same protection to magistrates in Ireland as in England.

Question put, "That the word 'To-morrow' stand part of the Question."

The House divided:—Ayes 38; Noes 2: Majority 36.

List of the AYES.

Acland, Sir T. D.
Anson, hon. Col.
Anstey, T. C.
Arundel and Surrey, Earl of
Baring, rt. hon. Sir F. T.
Blackall, S. W.
Brotherton, J.
Christy, S.
Cubitt, W.
Duncuft, J.
Ebrington, Visct.
Ferguson, Sir R. A.
Fordyce, A. D.
Grey, rt. hon. Sir G.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Heald, J.
Hobhouse, rt. hon. Sir J.
Hodgson, W. N.
Howard, Lord E.
Lewis, G. C.
Mahon, The O'Gorman
Maule, rt. hon. F.
Milner, W. M. E.
O'Connell, M. J.
Paget, Lord A.
Palmerston, Visct.
Parker, J.
Raphael, A.
Rich, H.
Sandars, G.
Somerville, rt. hon. Sir W.
Thompson, Col.
Tufnell, H.
Verney, Sir H.
Willoughby, Sir H.
Wilson, J.
Wyld, J.

TELLERS.
Hill, Lord M.
Grey, R. W.

List of the NOES.

Devereux, J. T.
O'Brien, T.

TELLERS.
Lawless, C. J.
O'Connell, J.

Main Question put, and agreed to.

Bill to be read 3^{a} To-morrow.

The House adjourned at a quarter after Eleven o'clock.

HOUSE OF LORDS,

Friday, March 23, 1849.

MINUTES.] *Reported.*—Distraining for Rates.

PETITIONS PRESENTED. From Northiam, for a Repeal of the Malt Tax and Hop Duty.—From Wicklow, for the Abolition of the Office of Inspector of Weights and Measures, likewise for the Abolition of the Office of Coroner (Ireland).—From Wicklow, Nenagh, and Sligo, for Alteration of the present Poor Laws (Ireland), also against the proposed Rate in Aid.—From Lockwood, against the Sale of Intoxicating Liquors on Sundays.

OUTDOOR PAUPERS BILL.

The EARL of CARLISLE moved the reception of the report of Amendment.

The DUKE of RICHMOND wished to know whether the noble Lord would object to the insertion of a clause in the Bill to give the Poor Law Commissioners power to appoint a visitor to visit the houses where pauper children were farmed, frequently, and at uncertain periods, the salary of such visitor to be fixed by the Poor Law Commissioners. He thought it was the duty of the Legislature to take measures for the protection of the large number of children in these farming establishments. He objected to this system of farming out paupers, because he thought it unfair to the children and also to the ratepayers. He did not propose to make it imperative on the Poor Law Commissioners to appoint a visitor, but he wished to give them the power of doing so.

The EARL of CARLISLE promised to take the matter into consideration before the third reading of the Bill.

Amendment reported.

DISTRAINING FOR RATES BILL.

House in Committee.

The EARL of MALMESBURY complained that the Bill which gave magistrates the power to liberate persons after being imprisoned for three months for poor-rates was not also extended to imprisonment for church rates. He should move an Amendment, if necessary, to cure that defect.

LORD CAMPBELL would inquire whether there was any objection to include church rates. If he found no objection existed, he would include church rates.

The DUKE of RICHMOND considered that the Act, if passed, would not be final. We should every year be favoured with explanatory or Amendment Acts, which in the end would leave the law still obscure.

LORD BEAUMONT said, he was satisfied the Bill was intended to effect great good. The Bill was intended to remedy a defect which at present existed with reference to distraining for rates. In some cuses persons were not proceeded against, though quite able to pay the rates, because the expenses were more than the amount of the rates. But this Bill was to allow the expenses to be added to the amount of the rate, and the whole to be recovered from parties who could, but who were unwilling to pay. He should advise his noble Friend opposite (Lord Malmesbury) to be content with the advantage which he had gained in getting church rates inserted, and not to press his Amentment in a more enlarged form.

Amendment withdrawn.

Bill reported without Amendment.

RATE IN AID (IRELAND).

LORD MONTEAGLE moved for an Estimate of the sum which the Government calculate will be raised under a rate of 2½ per cent on rateable property in Ireland. He did not intend at the present to raise the question of the expediency or inexpediency of a rate in aid, those being points unconnected with the merits to which he now wished to draw public attention. He was willing to assume that the measure was right; but he anticipated that it would not be found to work as expected by its framers. On the assumption that the measure of the Government would pass, the question was, whether the remedy proposed to be adopted would be adequate to the evil they were called on to meet? It would, in his opinion, be most dangerous to propose that as a remedy which, in point of fact, experience would prove to be no remedy at all. In the west of Ireland there were eight unions which might serve as a sample of the rest of the destitute districts in that country. They were in the province of Connaught, and the greatest distress prevailed among the people. The population was 563,000, and there had been spent upon the relief of the poor in the course of the past year above 220,000*l.*, while only 46,000*l.* had been locally raised as a poor-rate; so that there was 164,000*l.* required for the support of the poor in those eight unions beyond what could be raised by rate. These unions, it should be borne in mind, were administered not by local government, but by the paid officers of the Poor Law Commissioners, removable at their pleasure, and who possessed an unrestrained power of taxation, for the purpose of relieving the poor; and, consequently, it might be fairly assumed that the largest amount of rate had been raised that could be levied from the district. In fact, so stringently was the poor-rate levied, that the single cow of a gentleman, who had once been a considerable landed proprietor, was seized and sold, though it formed the sole support of his family; and when redeemed by a friend and restored to its former owner as an act of charity, it was seized a second time, and sold for rates. The very goats of the peasantry shared the same fate. These facts he did not mention as matters of grievance, but as illustrations of his proposition, that the resources of the district had been exhausted. This year the distress was greater than it was in the last—the amount of destitution had increased very considerably, and a much larger number would consequently have to be relieved in the coming period. The question then arose, seeing how the power of payment was exhausted, whether the proposed rate in aid of 2½ per cent would be sufficient for the purpose of relieving the destitution of Ireland? Was it proposed that the rate was to be levied on the whole rental of Ireland, according to the last valuation? It would be most unjust to impose it, seeing that, as a general rule, that valuation had fallen greatly in certain districts since it had been made. In the district of Kilrush, for instance, the rateable property was now fully one-third lower than when that valuation was made. It was then 60,000*l.*; it was now only 40,000*l.* So in Scariff, Clifden, and Ennis. An equal poundage rate would only be equal in name. The rate in aid could not be collected in the most distressed unions. They could not at once be payers and receivers. Reference had been made to the earnestness of the opposition brought to bear upon the rate as contrasted with the small amount of the tax proposed to be levied; but it should be recollected that the whole people of England had resisted the proposition of a tax for a lesser sum, last year, even when it was intended to be applied to the general purposes of the State. Besides which a tax of 2½ per cent on the entire rateable property of a country was not a small thing; and those who had opposed the imposition of a lesser tax on the richer part of the empire should not sneer at the opposition excited by the proposal of a greater tax in Ireland. The object he had in view by his Motion was to ascertain whether a rate in aid would be effectual for the purposes of relieving distress in Ireland. On looking further into the question, various other circumstances had to be considered. A great amount of debt had already been incurred by various unions in that country, which would have to be repaid before relief could be effectually afforded to the poor. The debt in September, 1848, exceeded 200,000*l.* Connaught owed above 94,800*l.*, having but a balance of 168*l.* in the treasurer's hands. It was in evidence that the contractors of several of these unions had refused to supply them any further until their demands were liquidated—it was shown that heavy legal expenses had been already incurred in some places for the recovery of these debts—and that in some unions everything had been seized and sold to pay the debts which had been contracted by the guardians: in one instance, a union was now actually hiring the furniture of their own workhouse, which had been sold up under a sheriff's warrant. Even if the rate in aid was calculated to relieve the current distress of Ireland, these debts would remain unpaid; therefore, he apprehended that it would be still found wholly insufficient for the purpose intended. Confining himself, as he had done, to the financial part of the question, he should simply call for an estimate which he hoped would not be refused on the ground of any supposed difficulty in making it up, or from any other motive. Many estimates much more difficult to make up had been laid before the House. The noble Lord then moved for an estimate of the sum which it was calculated will be raised under the rate in aid proposed to be levied on rateable property in Ireland.

LORD WHARNCLIFFE observed, that it would be premature on this occasion to enter into a discussion of the subject. He had risen merely to express his concurrence in the desire of his noble Friend for information on the matter, and to suggest that the returns might be advantageously made fuller in one respect, by a return being added of the number of unions in which a rate above 5*s.* in the pound had been struck last year, in order that they might have some notion of the number of unions to which the rate in aid would be applicable.

The MARQUESS of CLANRICARDE said, that the Government had no disposition to withhold any information upon the subject which they had it in their power to give. He might observe, however, that the course adopted by the noble Lord in moving for estimates of probable amounts was a very unusual one, and that it would be almost impossible to furnish returns of such a nature which could, by possibility, have any claim to accuracy. The Motion was for an estimate of the sums which would be raised by a rate in aid. Now, a return of the sum which would be raised immediately, were the rate in aid actually in force, might, and probably would, present a very different result from that which would be realised at that future period when only the proposed Bill could come into operation. The most important element of it would be the sufficiency of the rate. If it were not sufficient to meet the exigencies of the case, the means adopted would no doubt be entirely to be condemned. But his noble Friend must, from his own experience, be well aware that the Government, when proposing a general tax, was not in the habit of referring to local boards or particular officers of revenue in order to prepare a statement to be laid before Parliament. In the present case it would be impossible to prepare such an estimate as his noble Friend demanded. His noble Friend had spoken of the difficulties attendant upon it, but it was impossible to say how those difficulties might be increased or altered within a short time. It was impossible to say how many districts now insolvent might shortly be able to pay, or how far distress might extend to places not suffering under very heavy pressure at present. He did not see, in fact, how any estimate could be made which would enable their Lordships to form an opinion upon the scheme. As to the amount of the destitution in Ireland, he differed from his noble Friend, and he thought that it would be as impossible to say how many persons would require relief in the coming summer, as to say how much money would be raised by the rate. A general opinion might of course be formed by the Government as to the amount that would be raised, and it would be upon that general opinion that they should act. As to the returns spoken of by his noble Friend, there was no objection to their being laid upon the table. There might be some difficulty in obtaining some of them, but there would be no attempt made to withhold them. In conclusion, he should repeat, that the impossibility of having a correct estimate was no reason why the general question should not be introduced.

EARL FITZWILLIAM said, he had always thought that Parliament were legislating in a strange manner so far as Ireland was concerned, and he must say that the speech of his noble Friend (the Marquess of Clanricarde) had not a little confirmed him in that belief. It undoubtedly might be difficult to form a very correct estimate of what the 2½ per cent might produce in Ireland; but his noble Friend had attempted to account for the difficulty by stating that the condition and situation of various parts of that country were varying from day to day. What a disclosure from one of the Members of Her Majesty's Ministers! If the position and circumstances of that country were ever varying, how unstable must everything be upon which Government depended, and how fallacious must be their hopes that the rating scheme would be capable of affording relief to the distressed subjects of Her Majesty in Ireland! The object of the Motion was to ascertain, not with mathematical correctness, because mathematical correctness could not be obtained upon such a subject, but with general accuracy, the amount likely to be realised by the imposition of the tax. It seemed, however, that Her Majesty's Government entertained no very clear conception of what it was likely to produce. In addition to the Amendment proposed by the noble Lord opposite (Lord Wharncliffe) there was a still more important point which might be suggested as extremely desirable — not what the local rate would produce, but what were likely to be the results of it upon those who would have to be fed, and what were the still further distresses to which the people would most probably be subjected. This was a matter worthy of the consideration of the House and of the Government, because there was no man who would not agree in the truth of this proposition, that it was the duty of Parliament to take care that the number of Her Majesty's Irish subjects were not diminished by famine, disease, or death. He believed that in framing a law for the maintenance of the poor of Ireland, the Legislature might have adopted a better course than was now proposed. They might have thrown the whole of Ireland into one great union, and have called upon the whole mass of the property of Ireland to maintain the poor of that country. But taking the course that the Legislature had—and he thought it but right that they should follow it up to its consequences — when they cast upon particular portions of the country—upon poor-law unions and electoral divisions, the duty of exclusively supporting the poor within those districts, they should remember that since the year 1816, when the Irish and English Exchequers were consolidated, Ireland had ceased to be a distinct financial community, and had become a portion of the imperial community. When then, in devising measures for the support of the poor, they stepped out of the smaller communities—the electoral divisions—to seek assistance, the first community they met with was the imperial community, of which Ireland formed a part, and it was to that imperial community, and to that alone, they ought to apply, instead of merely to Ireland itself; and he trusted that Parliament would not make the English people cast upon the weaker portion the duty which clearly belonged to the whole body of the empire at large. Let the House mark the proportions which existed between the financial powers of England and Ireland. Not many days ago a gentleman of great authority, eloquence, and research, in the other House of Parliament (Mr. Disraeli), in making certain calculations in support of a proposition he then submitted in that place, stated, and not perhaps incorrectly, that the income of England amounted to 250,000,000*l.* per annum. He (Earl Fitzwilliam) believed he was not very far out in his calculation in saying that the financial power of Ireland would not amount to one-tenth part of that of England. What, then, ought the Legislature to do? In order to preserve the lives of the unfortunate people of the sister country, what were they doing? Were they laying a tax upon the whole empire? No: they were charging a portion of it. And they were not charging the whole of the property and income of Ireland, but they were confining themselves to those who were already heavily taxed, and whose duty it was to maintain the poor in their several communities. In other words, they were calling upon a small fraction of a fraction of an empire to perform a duty, the execution of which ought to be cast upon the empire at large. He thought that in further burdening the ratepayers of Ireland, instead of taxing the income and wealth of the country, they were doing what was neither just nor generous; and because it was ungenerous it was unwise; for true wisdom and generosity would always be found intimately linked together. He believed that if it had been fully and fairly stated seven weeks ago, when Parliament first met, that not 50,000*l.* but 500,000*l.* would be required to meet deficiencies of the distressed unions in Ireland, the British House of Commons would have had as little hesitation in granting the larger sum, as they had in passing the paltry amount then proposed. He emphatically warned those who boasted that they were desirous of doing justice to Ireland, not to be parties to the overtaxation of the ratepayers of Ulster, Leinster, and portions of Munster, for the sake of relieving the distress in Connaught, lest they might create in those provinces a feeling hostile to the Government, and cause a system of passive resistance to be raised to the collection of the rate.

The Bishop of CASHEL said, that he could state from his own experience how rapidly destitution was increasing in Ireland during the last two years. Many families whom he knew, who were in comfortable circumstances in the year 1847, were now sunk or sinking into absolute poverty. And he regretted to be obliged to say that that distress was one of the practical effects of the poor-law, under the circumstances of the destruction of food in the country. Instead of alleviating the distress and decreasing the poverty in Ireland, the effect of the law had been to increase both, and mainly in consequence of the mode in which it was levied. The first two classes immediately above the paupers were those who were in the first instance obliged to pay the rates, and the consequence of the pressure was, that these were now falling fast into absolute pauperism themselves. The ratepayers of Ireland were very different indeed in condition from the ratepayers of England, and when the poor-rate collector came upon them for the entire rate, even although they had the power of subsequently deducting a portion from their landlords, the first effect was often utterly ruinous. He himself knew instances of people who were obliged to pawn their clothes in order to pay the poor-rate for the support of those who were actually much farther removed from actual destitution than they were themselves. He, therefore, implored Her Majesty's Government, since the money must be had to support the poor where no more rates could be obtained, not to call upon those to supply it who were least able to pay. The noble Marquess had said that what would be an estimate now might not be true at a short time hence. He regretted to say that he agreed with the noble Marquess in opinion. He thought it was perfectly true. But if the estimate which might be grounded upon the present condition of the country would show a result unfavourable to the imposition of the tax, he assured their Lordships that the estimates of three months hence would be much more unfavourable. As he had always been in favour of a poor-law for Ireland, it was in sorrow he made that statement. But he felt compelled to say that he could not have believed, low as was the character of the Irish people, void as they were of independence, that they could have been so much further lowered as they had been within the last two years. The present system was increasing the poverty of the country, and aggravating the evil which it was intended to cure; and if the proposed rate were to be levied upon the present ratepayers, it would be a hardship to those who had to pay, whilst it would do no good to those who received it.

The EARL of WICKLOW was very much disappointed at the reply given by the noble Marquess (Marquess of Clanricarde); for he should like to know when any Chancellor of the Exchequer had ever proposed to Parliament to levy a tax without giving something like an estimate of what it was expected to produce. Now, all that his noble Friend (Lord Monteagle) had asked for was something of the kind. And the evil which arose from promulgating a measure without making some such statement, was aggravated by the unprecedented step of appointing a Committee of Inquiry into the operation of the poor-law, and then proposing a scheme without waiting for the report of the Committee. But proceeding without information, the whole tendency would be to deceive the public, the Parliament, and the country. He could conceive nothing more objectionable in principle, nor more evil in its effects, than such a mode of proceeding. He begged their Lordships to consider the question—first, as it related to the unions themselves; and next, as it would fall upon Ireland at large. For there the Government stopped short. Had they gone a step further, and provided, that in case the aid which was expected from Ireland were found insufficient, further aid should be had from the united empire, there would then be no danger from the evil which was anticipated, that the aid from Ireland might fail. But, having left the country and the Parliament in utter ignorance of what might be the consequence if the aid should be insufficient, there was reason for fearing, and for asking what was to take place when Parliament would not be sitting. He confessed he could not help entertaining a suspicion, from their ignorance of the amount that might be expected, that there were some further measures kept in view by the Government. He feared that this was only introducing the small end of the wedge, with the intention of pushing it further, to the extent, in fact, that might be found necessary; and he was persuaded that this impression was entertained by many of those who would be contributors to the proposed tax. Leaving out of view the principle, he thought it was necessary that they should know from Her Majesty's Government what was to be the effect of the failure of the measure—he meant, if the sum of money raised by it should prove not sufficiently large to meet the exigencies of the case. He thought it was absolutely necessary they should be informed upon that point; and he trusted that the Government would add a provision, that in case it should prove insufficient, a further rate in aid should be raised from the united kingdom. That would remove the objections raised by his noble Friend. But if that were not done, they would be legislating in utter ignorance of the amount to be raised, and whether it was at all likely to meet the object proposed. He was sorry the noble Marquess had not granted at once the proposition of his noble Friend. It would be perfectly easy to do so. It was quite impossible that the Government could have introduced the measure without having formed some opinion upon its probable results, and his noble Friend did not expect any very correct estimate.

The MARQUESS of CLANRICARDE said, there was not the least objection to the making of an estimate, "so far as it was practicable;" and if his noble Friend would add these words to his Motion there would be no objection to it, because that would remove the possibility of the Government being held bound to the estimate; and he did not hesitate to say, he believed that, sooner or later, every sixpence that was required would be raised. There were places in which those who would be liable to the rate would not be called upon to pay it, because some of them would be recipients. But as soon as they recovered themselves, and would be liable to pay, it would be collected.

But the Government would not be bound by the reports of collectors. And as to the objection made by the noble Lord, the Government could receive no information for their guidance in the proposition from the Committees now sitting. It was in the power of the House to form an opinion upon that proposition as well without their report as with them. The Committees might report upon the distress, and the causes of it, and the means that would be required to relieve it; but the Government and the House were able to form their own opinions as to the most likely mode by which the means required were likely to be raised. Before concluding, he should beg leave to dissent from being supposed to admit, in the slightest degree, the supposition or apprehension of the noble Earl (the Earl of Wicklow), that the proposition was the insertion of the small end of the wedge. For himself, and for all his Colleagues, he disclaimed all such intentions. Their plan was merely, as he had stated on a former occasion, a specific for a temporary burden. It stood by itself. It was very objectionable, undoubtedly, in principle; but one which, under the pressure of extraordinary circumstances, they had thought it necessary to adopt. As to the other questions put by noble Lords relating to the mode in which the money would be laid out, it was impossible to say how it would be expended. They could not tell what the exigencies of the country might require, or how much might be wanted for the purpose of aiding emigration, or otherwise tending to relieve the distresses of the people. The noble Marquess concluded by again saying that there would be no objection to the Motion if amended by the addition of the words proposed.

Lord MONTEAGLE rose to reply. He had no doubt of the sincerity of his noble Friend (the Marquess of Clanricarde) in his declaration, that the proposed rate should not be increased; but he must pardon him if he separated the integrity of his noble Friend from the inevitable consequences of the measure. When the unfortunate labour rate was introduced into that House, which cost the country five millions of money without producing any commensurate amount of good, he objected to the measure as leading to the establishment of outdoor relief. His noble Friend, then, with the same sincerity as now, disclaimed such a supposition; he stated that he objected to outdoor relief as strongly as he (Lord Monteagle) did; and that he did not believe such a measure would be entertained. His noble Friend was then, as he was now, and ever would be, sincere, straightforward, and candid; but yet his (Lord Monteagle's) prediction had been verified. Therefore, without for an instant questioning his noble Friend's sincerity, he yet agreed with his noble Friend behind him (the Earl of Limerick), that this measure would lead inevitably both to an extension of its duration, and to an increase in its amount. It was always dangerous to prophesy; but he, in the year 1849, had no hesitation to predict that if this sixpenny rate was once levied, it would neither be confined to sixpence, nor would its duration be confined to two years. Why an estimate of the amount of the rate should not be given he did not understand. There was a monthly estimate of the expenditure of each poor-law union afforded, with the funds they had to meet it, and there could be no difficulty in furnishing an estimate of what the proposed rate would amount to. He had no objection to add the words to his Motion which had been suggested.

Motion, as amended, agreed to.

House adjourned to Monday.

HOUSE OF COMMONS,

Friday, March 23, 1849.

Minutes.] New Members Sworn.—For King's Lynn, Hon. Edward Henry Stanley; for Sligo, John Patrick Somers, Esq.

Public Bills—2° Mutiny; Marine Mutiny; Indemnity.

Reported.—Bribery at Elections; Larceny Acts Amendment.

3° Recovery of Wages (Ireland); Protection of Justices (Ireland).

Petitions Presented. By Mr. Raikes Currie, from the Parish of St. Giles, Northampton, for Abolition of Church Rates.—By Mr. Bagshaw, from the Independent Dissenters of the Town of Harwich, in favour of the Clergy Relief Bill.—By Mr. W. Miles, from the Parish of Yatton, Somerset, against the Marriages Bill; and from Attorneys and Solicitors practising at Wincanton, in the same County, for Repeal of the Duty on Attorneys' Certificates.—By Captain Fordyce, from the Committee of Management of the Royal Infirmary of Aberdeen, for Exemption of Charitable Bequests from Legacy Duties.—By Mr. Morris, from Cardiff, for Repeal of the Duty on Paper.—By Mr. Cowan, from the Parish of Currie, Edinburgh, for Reduction of the Public Expenditure.—By Mr. Cowan, from the Edinburgh and Glasgow Railway Company, respecting the Taxation on Railways.—By Mr. Mostyn, from the Guardians of the Holywell Union, Flintshire, for Rating Owners, in lieu of Occupiers, of Tenements.—By Mr. Bourke, from the Barony of Connell, in the County of Kildare, respecting Depredations by Killing Cattle, Sheep, &c.

THE ARCTIC EXPEDITION.

Sir T. D. ACLAND said, that, seeing the First Lord of the Admiralty in his place, he wished to ask him whether certain papers, ordered last week, relating to the proceedings connected with the Arctic expedition, would be laid upon the table to-night, as many persons in this country were anxious for information upon the subject? Also, whether it was the intention of the Government to offer any encouragement to other parties, in any way connected with the navigation of those seas, to prosecute exertions for the relief and assistance of Sir John Franklin and the expedition under his command? He would also here express a hope, if such was the intention of the Government, that every effort would be made to announce their intention at the earliest possible period on both sides of the Atlantic.

SIR F. T. BARING said, that with reference to the papers moved for by the hon. Baronet a few days ago, he should that night present a memorandum on the subject, and the rest of the papers would be presented at the next sitting of the House. With respect to the second question put to him, he would inform the hon. Baronet, that after much consideration the Government proposed to offer a reward of 20,000*l.* to any vessels, foreign as well as our own, that might render efficient assistance in saving the lives of Sir John Franklin and his squadron; and they intended to make the reward widely known. The preparatory papers had already been put into print, and were to be transmitted through the customs authorities to the collectors of customs and the consuls abroad.

PARTY PROCESSIONS IN IRELAND.

VISCOUNT CASTLEREAGH wished to ask the right hon. Baronet the Secretary of State for the Home Department, whether it was the intention of the Government to propose any measure with regard to the holding of party processions in Ireland; or whether it had any intention to revive the Act of 1845 on this subject?

SIR G. GREY said, that on looking at the melancholy results that had lately occurred in connexion with party processions in Ireland, he was inclined to think it might be expedient to propose some measure to prevent party processions of all kinds. The matter was under consideration, but at present he could only express an opinion that it might be expedient to adopt such a measure.

THE CANADIAN REBELLION.

MR. HERRIES begged to ask a question of Her Majesty's Government, arising out of the questions put and answers made on the subject on the preceding day. He would take the liberty of asking whether or not Her Majesty's Government were in possession of the proceedings in the Committee of the whole House of the Legislative Assembly of Canada preliminary to the introduction of what was called the Indemnity Act?—and whether, as part of these proceedings, two Motions were made for the purpose of excepting from compensation all persons guilty of aiding or abetting in the progress of the rebellion?—and if it were true these two Motions were rejected in the Committee by a majority, of which the law officers of the Crown and the public officers of the Government of Canada formed a part?

SIR G. GREY regretted to say that his hon. Friend the Under Secretary for the Colonies was prevented by indisposition from being in his place in the House, so that he (Sir G. Grey) could not, perhaps, speak on the subject with the accurate information he would desire; but he was certain of this fact, that no official communication had been addressed to the Colonial Office by the Earl of Elgin on the subject, and the only information they had was derived from the newspapers, which, in common with the rest of the world, they had received. A private letter had been received by his noble Friend at the head of the Colonial Office, but no official information had as yet reached him. He supposed that such information would be postponed until the usual period of making such communications; that was, when the measure had ultimately received the sanction of the colonial legislature.

MUTINY BILL—THE LIVERPOOL FINANCIAL REFORM ASSOCIATION.

Order of the Day for the Second Reading of the Mutiny Bill read.

MR. F. MAULE: Sir, in moving the second reading of this Bill, I wish to give some explanation of what fell from me on the occasion of my introducing the Army Estimates. I have received communications informing me that two of the statements I made on that occasion are questioned by the parties with regard to whom those statements were originally made. The parties who question those statements are the Liverpool Financial Reform Association, through their secretary, and the statements which are questioned are these. First of all, that I complained that that association had in their tracts charged the colonels and quartermasters of regiments with combining to cheat the soldiers; and, secondly, that the tendency of those tracts was to diminish the confidence of the soldier in his officer. Now, I should be sorry at any time to make a statement with reference to any body of gentlemen, or any individual, for which I had not in my own opinion good grounds. I therefore beg to state to the House very shortly the grounds on which I made these statements. Those grounds are to be found in the Tract No. 4, issued by the Financial Reform Association; and at page 52 of that tract is the following passage:—

> "It is also necessary to remark that the clothes provided by the colonel are only a part of what the soldier wears. All linen, flannels, hosiery, shoes, forage caps, stocks, brushes, combs, and small articles, besides at least one pair of cloth overalls for dragoons, and occasionally trousers for infantry, are provided by the quartermaster, or his chief, the clothing colonel, and paid for out of the soldier's pay, by daily stoppages. The profits accruing from these regimental clothes shops afford an inducement to the heads of departments to be continually devising changes in the style of dress, of under-clothing, of boots, of shoes, and the other necessaries, so that the men are obliged to purchase new articles, and submit to stoppages in payment of them, while the articles set aside and declared to be unregimental, are yet in good condition—in many cases not half worn."

Now, Sir, I maintain that if any colonel of any regiment, having the power to do this, which he has not, did so in combination with his quartermaster, he would be guilty of the act of cheating the soldiers; and the insinuation is so strong in this paragraph that the colonels of regiments and quartermasters have done this, that I think so long as this paragraph remains unwithdrawn and uncontradicted, my inference on that subject was a perfectly fair one. With regard to the second complaint, I have this to say. After a careful perusal of these tracts, treating, as they profess to do, on financial economy in the Army, I am sorry to say that, from the way in which the officer is mentioned throughout in these tracts, and held up in a sort of light to the soldier as though the Army was created and maintained for the benefit of the aristocracy, as it is stated—the whole object, in my opinion, seems to be to hold up the officer in an invidious light to the men, which goes very much to relax discipline; and I am extremely sorry that such a body as the Financial Reform Association of Liverpool should have worded their tracts in such a manner as to induce that opinion on my part. I hope I may infer from the communications that have been addressed to me in reference to my statement, that it is not the intention of the Association to call in question the character of the colonels and quartermasters, still less to sow the seeds of dissatisfaction between the officers of the Army and their regiments.

Mr. HUME: On the occasion when the right hon. Gentleman made the statement to which he has now referred, I ventured to say that there had been some misunderstanding on his part as to the objects of the Liverpool Association. If he will read the whole of their tracts, he will find that the system is attacked, and that the officers are mentioned undoubtedly, but only as being implicated in that system. If he will refer to the report of the Committee of 1837, appointed on my Motion, he will find the very same words used in reference to this system; the Committee say that such is the anomaly that parties who are not acquainted with the checks and controls which exist, might believe that the officers were benefited thereby. No one ever paid more attention to the inquiry than did that Committee, and yet nothing was elicited against the commanding officers; on the contrary, it appeared that they had nothing to do with the matter. But it was proved that if the clothing is made up cheap, the colonels get more money than if it is dear; therefore, to a certain degree, their profits depend on the price and quality of the article. I do not blame the colonels—it is the system that is in fault—and I hope the time is come when we shall see the necessity of abolishing such a system.

Mr. DISRAELI said, they were not likely to expedite the business of the House when they found not only a Member of Parliament, but a Minister of State, no less, indeed, than the Secretary at War, entering into combat with a Financial Reform Society. As this was the first time such an occurrence had taken place, so he trusted it would be the last—for he must protest against the interruption of public business by such discussions. Possibly they would have the tracts of the Anti-Corn-Law League, the tracts of the Protectionists, or they might have the tractarians of Oxford, answered in the House if such proceedings were tolerated. He had not given that thorough study to the tracts in question which the right hon. Gentleman informed the country he had done. He congratulated the right hon. Gentleman upon the result he had aimed at; but for himself, he had formed a very different conclusion of the intention and objects of this Financial Reform Society in Liverpool. He had no doubt whatever that the intention of the society was to throw a stigma upon the British Army; but he would not condescend to notice efforts of that kind, respecting which he thought public opinion was already made up. That opinion very properly treated with contempt all societies whose labours were founded upon misrepresentations, and whose only object was to throw a stigma upon the cherished institutions of the country.

MR. F. MAULE: Sir, I differ from the opinion expressed by the hon. Gentleman who has just sat down.

MR. SPEAKER called the right hon. Gentleman to order, and put the question, that the Bill be read a second time.

Bill read a second time.

MR. SPEAKER having put the question that the Bill be committed on Monday,

MR. F. MAULE said: I am now in order in stating that I differ from the hon. Gentleman the Member for Buckinghamshire, as to the course which it was right that I should take on an occasion like the present. When I make any statement in this House, which is either contradicted or impugned, or called in question by any party, I think it is the most manly course to explain that statement, so as to leave no doubt on the mind of any one what that statement was.

MR. COBDEN: I think the right hon. Gentleman the Secretary at War, in noticing this charge of the Liverpool Reform Association, has alleged rather more against them than the extract itself warrants. As I understand it, they state that the system at present adopted holds out the inducement to certain things. That is their language. But the right hon. Gentleman charged them the other night with having actually alleged that the officers did do these things. The extract he has read merely says that the inducement is held out. And, whatever may be thought by many Gentlemen in this House, I believe it is the opinion of the country generally that the system is a bad one. I believe that the system of clothing the regiments, by giving an indirect bounty to the officer, is a bad one; and I have heard the colonels say so themselves. Sure I am, that if I were a colonel—a clothing colonel, that is the proper term—of a regiment—I would infinitely rather receive 500*l.* directly than have 750*l.* by profit upon clothing. But the hon. Member for Buckinghamshire has ventured to censure the right hon. Gentleman for having alluded to the society at all. But the hon. Members with whom that hon. Gentleman acts were never so scrupulous with regard to the Anti-Corn-Law League; for, if you look at the records of *Hansard*, you will find it was the subject of nightly discussion for many years. So far from thinking with the hon. Member for Buckinghamshire that public opinion has already decided against the merits of the Liverpool Financial Reform Association, as I am informed, in almost every large town in the kingdom — in London, Edinburgh, Manchester—aye, and in many smaller towns and villages—there have been kindred societies formed, in imitation of the example of Liverpool, for the purpose of carrying out the same object. And, differing from the hon. Gentleman as I do in my estimate of this society, I cannot let the opportunity pass without saying, that I think not only the country but this House and the Ministry themselves, are infinitely indebted to this Liverpool Financial Reform Association; and I cordially join with my hon. Friend the Member for Montrose in expressing the hope that if the country thinks any retrenchment is to be effected in this House, they will establish in every town and village a Liverpool Financial Reform Association.

MR. STAFFORD wished that the right hon. Gentleman the Secretary at War had followed the example set by the right hon. Member for Tamworth when he was in office. When did the right hon. Member for Tamworth, or any of his Colleagues in the Government, ever call the attention of the House to the tracts issued by the Anti-Corn-Law League? To have referred to this matter when the Army Estimates were under consideration, might, perhaps, be excusable; but to reopen the whole subject gratuitously was a different thing; and the Government could not fail to perceive, from the extent to which this conversation had already been carried, that the course pursued by the right hon. Member for Tamworth, when in office, was better calculated to expedite public business than that which had been taken by the right hon. Gentleman the Secretary at War. At all events, such a proceeding was not likely to expedite the business of the House, or the respect due to it.

Sir D. L. EVANS said, the question was not whether the system pursued in the Army was a good one or a bad one, but whether the Association had addressed itself to the subject in a spirit hostile and detrimental to the honour and interests of the Army. These gentlemen at Liverpool assumed that they were thoroughly acquainted with this subject, and put forth a variety of details, one-half of which were well known to be inaccurate, and this too at the very moment when hon. Gentlemen in that House were about to investigate this very subject, in reference to which his wish, as well as that of every one connected with the service, was for a full and fair investigation. But he did not like to see a number of tracts sent forth in a spirit which was anything but creditable to their candour; and he thought the right hon. Gentleman the Secretary at War had done no more than his duty on this occasion.

Mr. MILNER GIBSON: I think we may safely draw this inference from what has passed—that the whole of this discussion has arisen from an ill-considered charge having been brought against a respectable association. ["Oh, oh!"] A charge has been brought in this House against an association. That charge, in the first instance, was made hastily; and that brought on the necessity, on the part of the Minister who made the charge, of explaining voluntarily to the House the grounds on which he made that imputation. I think he took the course, and the only course, which a Gentleman in his position could take, when a charge has been hastily made without sufficient consideration. The hon. and gallant General the Member for Westminster has fallen into precisely the same error as the right hon. Secretary at War: he has made a hasty and ill-considered charge against a respectable association. For I challenge the hon. and gallant General to produce instances of these great inaccuracies which he says the Liverpool Association has been guilty of. I understand that the fact as regards the clothing by the colonels is not denied. I understand that a committee of general officers have themselves deemed that the system might lead to the inferences which have been drawn; and all that the Association, if I understand the matter right, has said is this—that it is a bad system, that it may lead to improper inferences, and that it does afford inducements to officers to do certain things which I am not aware that the Association charges them with having actually done. I do therefore hope, that, for the future, we shall not have these heavy imputations thrown upon societies which, I must say, are not established; and I think the whole proceeding has been brought upon us by these sweeping and ill-considered censures.

Bill committed for Monday next.

NAVIGATION BILL.

Mr. LABOUCHERE: Sir, in moving that you do now leave the chair, and that the House go into Committee on the Navigation Bill, I feel it right to take this opportunity of making a statement to the House with regard to an important alteration which I propose to make in this Bill. The House will recollect that, when I brought forward this measure, I stated to the House that there was one item in which the measure would differ from that which I submitted in the preceding Session. I stated that this difference turned on a modification, which I proposed, of the coasting regulations of this country. I stated that I proposed, not to throw open our coasting trade to foreign nations absolutely, but still, under certain modifications, to admit foreign nations to a share of that trade. I stated that, although I did not attach much practical importance to this alteration, nor did I believe that it could be possible for foreign nations to avail themselves, in any extensive degree, of this permission, yet, believing that it would facilitate that perfect equality on which I thought it important, as far as possible, that this trade should be placed with regard to the trade of the most important maritime nations of the world, and especially that of the United States of America, I thought it desirable, for the purpose of avoiding all possible cavil or dispute with regard to the value of any relaxation we might offer to the United States, to make the alteration which I proposed. I stated to the House that I thought it desirable, not because I believed the United States particularly could avail themselves of this modification, to throw open the coasting trade of the united kingdom to that extent—I stated that, having at that time consulted the authorities of the Board of Customs, I felt myself warranted in making this proposal to the House, and that I was able to say that I had no apprehension that the revenue would be endangered. Sir, I feel bound to say now that I am no longer able to repeat that statement. I will frankly state what took place between my right hon. Friend at the head of the Board of Customs (Sir T. Fremantle) and myself in reference to this matter. When I first proposed to make this alteration, I sought an interview with my right hon. Friend. After having apprised him of the nature of the proposal which I intended to make, my right hon. Friend stated, that with the information he then possessed, although he was not prepared to say that considerable additional difficulty might not be thrown upon the department over which he presides by this alteration, yet still it was his belief that no such difficulty, and no such danger to the revenue, would arise as could be set in opposition to any of the steps which the Government desired to take with reference to a great question of national policy. Sir, it was upon that assurance of my right hon. Friend that I made this proposal to the House. At the same time, my right hon. Friend, who was allowed to frame such regulations as he thought necessary to secure the revenue under the proposed modification, sent me several regulations, which the Commissioners of Customs had prepared, and which I embodied in the Bill now before the House. But, Sir, I have received, now some days ago, a communication from my right hon. Friend at the head of the Commissioners of Customs, in which he says that, on going further into these regulations which he thought it right to advise the Government to make to accompany this modification of the law as regarded the coasting trade, and on further examining this question, along with the most experienced officers of the Customs, those most conversant with that branch of the service which particularly has relation to the trade which would have been affected by the modification proposed, he had come to the conclusion that, if not absolutely impossible, it would be a matter of extreme difficulty, to frame any regulations which should not leave the revenue of the country exposed to the greatest possible danger—if we did away with that distinction which now exists between the coasting trade and the general trade of the country; I mean, if we allowed any ship, foreign or British, to combine a coasting and foreign voyage. He said, "I believe that greater danger will arise from British ships combining a coasting with a foreign voyage, than from foreign ships coming to this country for that purpose." Sir, under those circumstances, I am bound to state that I do not feel justified in advising the House to pass that part of the Bill which throws open the coasting trade in that modified manner which I had proposed. In what I have said I hope it will be clearly understood that I cast no blame whatever upon my right hon. Friend who is at the head of the Board of Customs. I am quite satisfied that if he gave his sanction to this proposal in the first instance, it was merely owing to his extreme unwillingness to set up any departmental objection against what he conceived to be a point of national policy. On the contrary, I am bound to take upon myself any blame that may be fairly imputed to any Member of the Government for having hastily submitted such a question to the House. I hope the House will do me the justice to believe that I would not have made this proposal if I had not believed that it might be done with perfect safety to the revenue of the country. I feel bound to state, that no imputation whatever can rest on Sir T. Fremantle for having given this sanction, as it might be supposed, hastily, and then withdrawing it; for I am convinced that he has acted throughout solely from a sense of duty, and that the fault is mine for not having given him more time for inquiry. But the result of this inquiry has been, that I am no longer able to ask the House to agree to relax the navigation laws in the particular I have described. The Bill, therefore, returns very much, almost altogether, to what it was when proposed to the House during the last Session of Parliament. I am happy to say that I believe this solitary alteration will, in no degree, stand in the way of the House being able to consider the Bill in Committee to-night. The clauses relating to the coasting trade are almost altogether distinct from the rest of the Bill; therefore, I trust this will not be deemed a reason for deferring the consideration of the Bill to-night. But as the alteration is an important one, I thought it only fair to the House to take this, the earliest, opportunity, of stating it, rather than reserve it until the House should have gone into Committee.

MR. HUME: I wish to ask the right hon. Gentleman whether, after the information he has given us, if the trade were opened entirely, the difficulty he has now stated with regard to the collection of the revenue would not be done away with? In that case, I conceive, foreign vessels would be put on the same footing as British vessels; and then there would be no difficulty whatever.

Mr. LABOUCHERE: Undoubtedly, if foreign vessels were admitted into our coasting trade as English vessels now are—that is to say, not allowed to combine the coasting voyage with the foreign voyage—of course the difficulty to the revenue, at least of the kind which I have pointed out, would not arise. But the hon. Gentleman will at once see that, as far as regards America, for instance, such a permission would be totally illusory. To say to the owner of an American ship—"You may come here and carry coals in our coasting trade, but you must not combine that with your foreign voyage"—that of course would be perfectly illusory. To open our coasting trade in that manner would excite a great deal of unnecessary alarm amongst our shipping interest; but, as far as regards foreign countries, even those close at hand, it would have very little effect; while as regards distant countries, it would be seen at once to be entirely useless.

Mr. GLADSTONE: Having myself taken objection to these very clauses, with reference to the question of revenue, I do not rise to dispute the justice of the conclusion at which the right hon. Gentleman the President of the Board of Trade has arrived; but I must make a few remarks on what he has said. I think he is more successful in justifying the conclusion which he has now announced to the House, than he was in showing grounds for the decision at which he originally arrived, when he introduced those clauses into the Bill. He says he now withdraws those clauses, because the Chairman of the Board of Customs tells him the difficulty of acting upon them would be extreme. The right hon. Gentleman fully owns that at the commencement of their communications on the subject, the Chairman of the Board of Customs felt the difficulty of acting upon them, and that the danger to the revenue would be considerable; and it would be impossible for any person to have listened to the right hon. Gentleman without seeing that the bearing of the mind of the Chairman of the Board of Customs was entirely against those clauses. I have no knowledge of his opinions from that right hon. Gentleman himself; and with reference to communications of this kind, I would say that I see considerable inconvenience in details of this kind being given by Ministers of the Crown—details of conferences that take place between themselves and those who, though holding important offices, are in reference to them subordinate functionaries. It is usual, when a demand is made by a Member of this House for the production of returns from the Board of Customs, or the law officers of the Crown—I need not take a parallel case, I can take the Board of Customs itself—it is usual to decline the production of those returns, because it may lead to inconvenience. I think that details of this kind may also lead to great inconvenience, and tend to perplex the public mind, as to where the responsibility is really to be considered to lie. On the very just ground that those clauses form an important portion of the Bill, I think I ought to take this opportunity to invite the attention of the House while I make an explanation, which I had intended to give in Committee, in regard to a subject on which I have twice troubled the House—that is, in regard to conditional legislation. Having said so much on the second reading of this Bill, and during the discussions on it last year, to prove that the House should adopt that basis instead of the basis that Government have chosen, I think it but respectful to the House to show that I have not been trifling with them in that regard, though it is not my intention to trouble them with any amendment on the subject. I wish to state what it is I would have proposed. I would have proposed, in the first place, a clause referring to conditional legislation, and a number of clauses of direct legislation. The conditional legislation I would have advised the House to adopt, would be—to divide the whole trade of the empire into two divisions only; the first of them that which relates to the trade of foreign countries, and the second of them that which relates to the domestic or British trade, including, under that designation, the trade coastwise, and the trade of the colonies. Then I would have proposed to the House to enact a law—not dependent on the discretion of the Ministers of the Crown, otherwise than ascertaining the fact—that when any country was disposed to give to Great Britain a perfect freedom in its foreign trade, it should receive in return our foreign trade. When they proposed to give a perfect freedom in all maritime trade whatever—both foreign and domestic—they should receive a perfect equality with British vessels in all parts of it, both foreign, colonial, and coasting. I would have asked the House to provide for the foreign trade of the colonies, by dealing with that trade irrespective of the conduct of other countries. I would have asked the House, as the right hon. Gentleman the President of the Board of Trade proposes to do, to repeal every direct restraint on the importation of tropical produce or non-European produce from Europe, that being a restraint which, according to the present law, affects not only the ships of foreign countries, but British vessels also. I would have asked the House to repeal all fiscal restraints, and every restraint in the nature of a tax, on the British shipowner. I would set him perfectly free, both with respect to the command of his ship, and the manning of his ship; and I would have invited the House to go into Committee on the Customs, that a drawback might be allowed upon the timber used in the building of ships. I think it my duty to state frankly why I will now make no proposal to the House of this kind. The object of my proposal was not to embarrass the proceedings of the Government. I am not unfriendly to the repeal of the navigation laws. I wish to see their repeal effected, but in a way that would have avoided any shock to the great interests that are involved in British shipping. For this reason I was perfectly willing to have made this proposal, had there been a hope—and, at one time, I was sanguine enough to entertain a hope—that it would meet with such a reception from the trade as would lead to a settlement of the question during the present year, believing, as I do, that, important as the settlement of this question must be at all times, it is peliarly important at the present moment. Had it been the disposition of those who are connected with the shipping interest of this country to have accepted that proposal, and made as large a concession of their views in regard to protection, I would, individually, have felt bound to urge that plan for the adoption of the House; but so far from that being the case, I have no reason to doubt that their disposition is, to stand by the present law, either exactly as it is, or with few and inconsiderable alterations. From a journal of the day I extract the following resolution, adopted at a meeting of the central committee for upholding the principle of the navigation laws. It was unanimously resolved—

> "That the fatal consequences of the adoption of the repealing clause No. 1 in the Navigation Law Amendment Bill would not be removed by the Amendment of which notice has been given by the hon. Mr. Bouverie; and as they are convinced that the clause would still prove destructive to British navigation, they trust that it will not in any form receive the sanction of the friends to the shipping interest in Parliament."

I take that announcement to apply—not merely to the particular form in which the hon. Member for Kilmarnock proposes to proceed with reference to this Bill—I take it that, although it aims at modification, or conditional relaxation of the existing law, its avowed aim is against the total repeal of the navigation laws. I certainly had not entirely abandoned the hope that Her Majesty's Government, seeing the strength of the interests with which they had to contend, might have thought it their public duty to have modified their measure in some respect with regard to conditional legislation: I need hardly say that, with the feelings I entertain upon the subject, I should have seen them adopt that course with sincere satisfaction. They have, however, done otherwise; and it is not for me to say whether they have adopted that course wisely or unwisely, with a view to effect the object which the right hon. Gentleman the President of the Board of Trade has so much at heart. That being so, and both the great sections of opinion into which the House is divided differing upon this important question of preferring another and a more decided course, I do not think that it would have conduced, in any manner, to the public advantage, if I had taken up the time of the House by a discussion—probably, a protracted discussion—upon a subject of this nature. I was not willing that the plan which I should propose should be considered as any obstruction to the measure of Her Majesty's Government. It was not in that spirit that I had conceived it. I do not consider that any advantage would have resulted from the comparatively small number of Gentlemen who might agree with me in preferring my plan upon its merits to that proposed by the Government, dividing by ourselves against the great majority of the House, or that the principle of the plan would in the least have been advanced by our so doing. Neither do I think it desirable that my proposition should be forced upon a reluctant and resisting Government—and should, after having been opposed by them, with all the weight of their influence, be sent to the other House with such equivocal recommendation as the proceedings of this House would give to it. I was not willing to run any risk of being responsible, through the medium of any such plan, or by pressing it upon the attention of the House, for interfering with the progress of the measure of Her Majesty's Government. I confess that if I were driven to take my choice between the continuance of the present law in the face of our colonies and in the face of foreign countries, and the plan of Her Majesty's Government, my choice would be in favour of that of the Government. I need not trouble the House any further upon the subject; when we get into Committee, and come to the consideration of the Motion to be proposed by the hon. Member for Kilmarnock, I shall be able to give my opinion on the principle contained in that Motion.

MR. HERRIES said, he had been prepared to go at once into Committee on the Bill, as he had no intention of offering any merely obstructive opposition to the progress of the measure. But the statement of the right hon. Gentleman the President of the Board of Trade had greatly surprised him, and had led him to doubt whether they could then go into Committee with any prospect of a satisfactory result. It was a very extraordinary circumstance that on going into Committee on a Bill which had for its object such infinitely important changes—which had been under consideration the whole of last year—which had been reproduced this Session with the introduction into it of a very remarkable amendment—it was indeed most extraordinary that, upon the proposal now to go into Committee upon it, Her Majesty's Government should announce their intention of abandoning that great amendment, professedly upon the sole ground—discovered for the first time—that it would not work consistently with our revenue laws! The reason appeared to him to be a most unsatisfactory one; and he felt bound to say that it came upon us very unfortunately, to say the least of it, immediately after the communication from the American Government, long delayed and lately laid upon the table of the House, by which it appeared that they were not prepared to make mutual concessions on the subject of the coasting trade! The contents of that despatch, and the sudden change made by the Government, were too manifestly connected with each other, to leave much room for doubt upon their motives. There was another circumstance which made the alteration proposed by the right hon. Gentleman well worthy of the serious consideration of the House; it was this—that the very clause which they were then told was to be withdrawn, must have been communicated to the Governments of foreign countries. [Mr. LABOUCHERE: No, no!] Did the right hon. Gentleman mean to say that he had failed to communicate to foreign Governments the altered intentions of the Government upon the subject? [Mr. LABOUCHERE: The provision in question was not in the Bill of last year.] Did the right hon. Gentleman mean to say that Her Majesty's Ministers had not communicated to the Governments of foreign countries the important change which they had this year proposed to make in a Bill, the original provisions of which they had thought it so necessary to make known to them? Surely they had in that case been guilty of a very strange omission. He should have thought that the very first thing they would have done after having determined on that change, would have been to have made it known to the Governments of foreign States. But they had received from the Government of the United States a distinct refusal to admit us to their coasting trade. Now, he wanted to know whether, after such a change in the measure as that which the right hon. Gentleman had announced, it was proper that they should then go into Committee, instead of pursuing the usual and natural course on such occasions, namely, that the Government should withdraw the Bill for the present, and afterwards present it in its amended shape. He was not pleading for delay; he could have no such object. But there were no less than six or seven clauses in the Bill relating entirely to the coasting trade, and several others partially affecting that subject; and he thought that, under the circumstances, the Government would have done much better if they had brought in an amended measure, or if they had proposed that the House should go into Committee *pro formâ*, with a view to amend it. He, however, was not disposed to offer any unfair obstruction to the progress of the Bill, or to prevent them from considering it at once in Committee if they should think proper to pursue that course. But he should observe that they had then three different proposals before them, the first of which was the Bill which had been introduced by Her Majesty's Government; the next was the alteration which the Government proposed to make in that Bill; and the third was the proposal of his right hon. Friend the Member for the University of Oxford. His right hon. Friend had stated what his plan was to have been; and he (Mr. Herries) regretted that any person so competent as his right hon. Friend skilfully to form a plan, and ably to explain and defend it, should shrink from the task of submitting it to the House. For his part, he should certainly have listened with the utmost attention to anything that might have fallen from his right hon. Friend; and although he believed that the Bill was not capable of being rendered a good one by any alterations which might be introduced into it, he was free to admit that the plan of his right hon. Friend was superior in its tone and character to the measure introduced by Her Majesty's Ministers. He believed, however, that the measure was essentially and fundamentally an un-English measure, and one which that House ought not to adopt; and he should, therefore, offer to it in all its stages his most strenuous and continued opposition.

MR. ROBINSON said, he wished it to be understood that he did not in any way forego his opposition to the Bill by acceding to the Motion that the House should then go into Committee. He should offer to the measure every fair opposition in his power.

The House then went into Committee.

On the 1st Clause being put,

MR. LABOUCHERE proposed to fill up the blank for the date at which the Bill was to come into operation with "the 1st of January, 1850."—Agreed to.

MR. GLADSTONE said, that one of the Acts proposed to be repealed by this clause was the 5th of George IV., c. 1, indemnifying "all persons concerned in advising, issuing, or acting under a certain Order in Council for regulating the tonnage duties on certain foreign vessels," and amending "an Act of the last Session of Parliament for authorising His Majesty, under certain circumstances, to regulate the duties and drawbacks on goods imported and exported in any foreign vessels." Now, the course he would prefer taking with regard to retaliatory clauses would rather be, to leave in operation such power of that sort as the Crown possessed now; but the retaliatory clauses which the present Bill contained—the 19th and 20th Clauses of the Bill—gave the Crown much larger power than that now possessed by it, and which were of a qualified description, and related to tonnage and goods. He moved, therefore, to omit from this clause all the words to which he had already referred as defining the Act of 5th George IV., c. 1.

Amendment agreed to.

On the Motion that the clause, as amended, be agreed to,

MR. BOUVERIE proposed, at the end of the clause, to add the following proviso:—

> "That the several restrictions and prohibitions in the aforesaid Acts contained, as to the voyages in which ships of any foreign country may engage, or as to the goods which they may import into, or export from, the United Kingdom, or any British Possession, or as to the goods and passengers they may carry either coastwise from one part of the United Kingdom to another part, or from any British Possession in any part of the world to any other British Possession (except such of the said restrictions and prohibitions as are hereby authorised to be removed or varied by the proper Legislative authorities of British Possessions), shall remain, and be in full force respectively, till it shall be made to appear to the satisfaction of Her Majesty in Her Privy Council, and it shall be declared by Her Majesty's Order in Council, that British ships are not subjected in such foreign country to the like several restrictions or prohibitions as to the voyages in which they may engage, or as to the goods which they may import into, or export from, such foreign country, or any possession thereof, or carry coastwise in any part of such foreign country. Provided further, with respect to the restrictions and prohibitions in the aforesaid Acts contained, as to the goods which the ships of any foreign country may import into, or export from, any British Possession, Her Majesty, by Her Order in Council, may direct that the whole, or any part, of such restrictions and prohibitions, shall cease to remain or be in full force as to the ships of any foreign country, although the like restrictions and prohibitions respectively, as to the goods which any British ship may import into, or export from, any possession of such foreign country, shall not in all respects have been removed."

This Amendment he should have slightly to alter, in consequence of what the Government had that evening themselves proposed in connexion with the Bill; but his proposal was, substantially, to the effect that the several restrictions and prohibitions contained in the Acts recited in the 1st Clause—with certain exceptions—should remain, and be in full force, till it should be made to appear that British ships were not subjected, in foreign countries, to the like several restrictions or prohibitions. He must preface any remarks he had to make in support of the Amendment with which he should conclude, by disclaiming any wish to defeat Her Majesty's Government in reference to this Bill, or, indeed, to offer any hostility to the measure itself, which he had supported up to the present stage of it. He also distinctly disavowed and repudiated all hankering after protection in this Amendment; for it was strictly in the sense of free trade that he proposed it, and with a view to the removal of restrictions on the trade of the world. He confessed that, as regarded the particular subject of the navigation laws, protection had not a leg to stand on. In the first place, it was true that, as a system, they could only justify protection when that system was, as it were, given all round. But, besides this, there appeared to him, as between a protective policy and restrictions on navigation, an inherent and radical opposition between the best interests of shipowners and shipbuilders, and those who wished to enforce protection generally in the policy of the country. The protectionists contended that they ought to exclude from the ports of this country all foreign produce that could possibly compete with that raised at home. This was to cut up, root and branch, the whole shipping interest. Again, he was not induced to propose his Amendment under the influence of the alarms and dismal forebodings embodied in the petitions which had been presented against changes in the navigation laws in the present and the past Sessions of Parliament. Precisely the same prognostications, alarms, and visions of ruin prevailed, and were indulged in, when Mr. Huskisson first proposed changes in these laws; and he was persuaded that they would be followed by the same practical refutation as those former alarms and apprehensions had been, and that the result would be, as it had been before, a great increase in the tonnage of the British and foreign shipping entered inwards at all the principal ports of this country. He had been rather surprised, he must confess, the other night, to hear Mr. Huskisson quoted by the Government as an authority as to the mode in which the restrictions hitherto removed had been withdrawn; for Mr. Huskisson's views were altogether in favour of reciprocity, and of that which his right hon. Friend the Member for the University of Oxford called conditional legislation. Mr. Huskisson, then, might be referred to as no mean authority on a subject of this kind, for there could be no doubt whatever as to what his views were upon it. His (Mr. Bouverie's) difference with Her Majesty's Government on this subject was, simply, with regard to the mode in which the changes they proposed should be effected. The hon. Member said that these changes were tremendous, and that it behoved the House to take care that they were made in a way which had been tried and approved, and was the least likely to cause dissatisfaction to those interests which would mainly be effected by their operation. Now, he did not think that way was the one comprised in the plan of the Government; but he did think that at least something like the best way to proceed was suggested in the Amendment he should venture to offer to the House. There could be no doubt that, in any trade in which they could command one terminus only, though they might open their trade at their own end of it, it was in the power of the State that had the other terminus, by their legislation, so to impair and impede the trade carried on in the ships of the country in which was the first terminus referred to, as, practically, to force the whole trade to be carried on in their own ships, thus pursuing the course which had been pursued by this country for the last two hundred years. France enforced against them similar restrictions to those imposed by the navigation laws; and though it appeared from the correspondence laid on the table two days ago that Sweden had professed her readiness to make relaxations *pari passu* with this country, he should prefer to such professions the security of an Act of Parliament. An opportunity was now afforded to us of removing all restrictions. As to the merchant, he was altogether indifferent on the subject; for all he wanted to do was to carry his goods in the cheapest ships, and it would be the object of foreign nations to give a factitious dearness to the ships of this country. Such being the case, and restrictions being now in operation against them on the part of foreign countries, here was an opportunity afforded them of obtaining a removal of those restrictions — restrictions which the retalitory clauses of the Government afforded no means of getting rid of. If they could not, therefore, get rid of those restrictions in the way the Government proposed to do so, was it not more probable that they might do so by adopting the mode he (Mr. Bouverie) suggested in this Amendment? They had entered into reciprocity relations with almost every other maritime nation. The United States of America had a complete system of reciprocity: it was the foundation of their whole navigation system, and it was an example they would do well to follow. His hon. Friend the Member for Westbury had endeavoured to find an objection to the Amendment; but with all his ability he had signally failed. The hon. Member said, the Amendment would, if passed, involve this country in endless negotiations. That was exactly what it would not do; it would establish a self-working system. He saw a great gain which it was possible to obtain by means of his own plan; but he could not see any reasonable ground on which they could calculate on any such gain by adopting the mode on which the Government plan proceeded. This subject could only be urged at all on the footing of national advantage. In his opinion, a selfish desire for national advantage was really patriotism; and it seemed to him to be not open to dispute or doubt that the removal of the restrictions which impeded their commerce would be beneficial to this country as well as to foreign nations. If the retaliatory clauses in the Bill, as prepared by Government, were to be worked at all, the object of working them would be to make them instrumental in procuring from foreign nations restrictions similar to those which England was about to concede; but it was only by negotiations that that end could be accomplished. The clause he would suggest would supersede the necessity of tedious and vexatious negotiations. Out of a score of reciprocity treaties to which England was a party, there were only four which contained the "favoured-nations" clause; and it was idle to expect, that through the instrumentality of such compacts, any genuine or extensive system of reciprocal advantage could be established as between England and the other nations of the world. However, it should be remembered that all those treaties were determinable, and that was in itself a fatal objection to them. He admitted, that to realise the principle of reciprocity in the case of tariffs was extremely difficult, if not wholly impracticable; but he did not think that it was equally difficult to apply the principle to the case of shipping. There was no analogy between the two cases on which to found a common argument. Reciprocity as regarded tariffs was, however desirable, almost impracticable, because the articles which came from other countries into England, and in respect of which a low duty was imposed, were articles which were not exported from England to other lands; and it was a matter of extreme delicacy and difficulty to determine what other articles should be accounted as equivalents for them; but in the case of shipping no such difficulty existed. Nothing was easier, simpler, or more intelligible, than to say, we will relax our navigation laws, and make certain arrangements with respect to our shipping interests, on the express proviso that other countries will adopt similar relaxations and arrangements in our regard. He was not at all averse to the relaxation of the British navigation laws—on the contrary, he cordially approved of it—but all he was anxious about was, that if England took off her restrictions, the restrictions now imposed by foreign nations in whose favour she was about to make the concession, should also be removed. It was with a view to the attainment of this desirable object—and because he believed that his proposition was calculated to secure for this country national advantages which the plan of the Government as at present framed was not so likely to realise—that he had brought forward this Amendment. The hon. Member concluded by moving the proviso to the first clause given above.

Mr. WILSON felt bound to oppose the Amendment of the hon. Member for Kilmarnock. He was sure that the object of the hon. Member was not in any way adverse to the liberal or free-trade policy of the country. He thought he should be able to show the hon. Gentleman that if he had carefully examined the laws of various countries, he would find that it would be utterly impossible to carry his plan into operation. He believed the clause as it stood would secure to them great and extensive principles of reciprocity, while it would not subject them to a great number of those inconvenient and intricate difficulties which were likely to arise from the existing treaties with foreign Powers. The object of his right hon. Friend the President of the Board of Trade was to enable the country to receive concessions from foreign countries by making concessions to them; but if they were to have the conditional legislation of the hon. Member for Kilmarnock, and if they were to hold in their hands the powers of retaliation, it would appear that whenever that equality was disturbed, it was to be restored by retaliating measures. Therefore the term reciprocity in the sense in which it was used by the hon. Gentleman, he (Mr. Wilson) held to be equivalent to the term retaliation; for he again said that there was no difference between the case of conceding to any country the privilege such country refused to us, and the refusal to impose restrictions upon a country because it imposed restrictions upon us. He thought, however, that the hon. Gentleman the Member for Kilmarnock did not intend to prevent the importation of goods from Asia, Africa, and America to this country; and if he understood the right hon. Gentleman the Member for the University of Oxford correctly, he was in favour of throwing open their trade to this extent. It was exceedingly necessary to keep that point in mind when considering the merits of the proposition now before them—namely, the throwing open the Continental trade, as far as concerned the goods of the whole world. His hon. Friend the Member for Kilmarnock, in the clause which he had submitted to their consideration, proposed that this country shall not concede to any other country the privileges of those concessions which the Government proposed to make in the Bill before the House, unless it shall be shown to the satisfaction of the Queen in Council that such country does not retain corresponding restrictions upon our navigation. The hon. Gentleman ought, however, to be aware that there was scarcely one country in the world that had similar restrictions to ours. Did he mean that any country which retained a restriction, however insignificant or minute, shall be prohibited from the benefit we propose to confer upon all foreign countries, and thereby to destroy the mutual benefits that might arise in respect to the general trade carried on between us? But then he said the restrictions or prohibitions were to be similar. What, however, would be the effect of this principle if it were to be fully carried out as he proposed? What would they do in the case of Belgium, for instance? Belgium has more restrictions than any other country, except England; but yet she has not one like that of England. Taking the hon. Gentleman's Amendment as it stands—pass a law such as he proposed, and the next day after they had so passed it, Belgium would be entitled to ask us for the same advantage as any one of the other nations could claim, because she would say that she has not the like restrictions as ours. She has no colonies, and therefore no corresponding restrictions in our colonial trade. She has no long-voyage trade such as this country possesses. The restriction here was one absolute upon trade. She does not prevent the importation of goods from Asia, Africa, and America, except they are carried in English ships. He might go through almost every country in Europe, and find in each one a similar objection to the Amendment proposed. He found in no one country similar restrictions to ours. [Mr. BOUVERIE here reminded the hon. Gentleman of France.] He begged the hon. Member's pardon. Though France has some restrictions similar to ours, she had not all. He did not mean to say that they could not find in these countries some one restriction corresponding with ours, but he contended it would be difficult to find one country so situated in this respect as would present a case which his Amendment would fairly meet. The hon. Member for Kilmarnock had talked of the great difficulty of carrying out the principle of reciprocity in tariffs. He admitted it; but if they were to retaliate by reciprocal restrictions, as the Amendment proposed, how were they to balance the one account against the other? The hon. Gentleman talked of the difficulty of negotiations; but he (Mr. Wilson) apprehended that the difficulties which he would impose upon the Board of Trade would be infinitely greater than any which could arise from the measure proposed by the Government. Did he mean to say, that he would not go piecemeal to work, but that he would rather take a wide view of the whole question, and would say to other countries, "If you throw open the trade between us, we shall throw over our navigation laws?" That, no doubt, would be a much more simple mode of meeting the question than the Amendment he proposed. But still this principle of acting would be attended with great inconvenience and difficulty. Suppose that we said to the world at large—suppose that the United States of America repealed their restrictions, in the spirit in which their legislation was now carried on. As soon as we allowed them to go into our colonial trade, that instant we should have all the countries with which we had treaties at this moment existing — some of which were not determinable even by notice—demanding from us the like privileges. What would Holland say? We are entitled to the Eastern Archipelago, and to trade with India and China, but we have a treaty with Holland that was not even determinable by notice. That treaty entitled them to trade with Java, the Eastern Archipelago, and the East Indies, upon terms of the most favoured nations. The same state of things existed in many other countries in Europe. The hon. Gentleman the Member for Kilmarnock said, why not then give notice of the conclusion of the treaty? Now, as he had said, this could not be done even if they were willing in all cases. In regard to Sweden, they could not put an end to the treaty which existed. But he would ask the hon. Member whether he was prepared upon this single subject to give notice to determine all the treaties we had entered into with the various countries of Europe, not only appertaining to the question of navigation, but also to the great questions in connexion with our commercial, civil, and political intercourse? He thought he could show that the course which the Government proposed to take, would in reality more effectually, more simply and plainly carry out what the hon. Gentleman seemed to have in view, than the Amendment which he had proposed, if adopted, would do. Before, however, he attempted to prove this, he must be permitted to make some further remarks as to the effect of the Amendment of his hon. Friend the Member for Kilmarnock, and the proposal of the right hon. Gentleman the Member for Oxford University, in respect to allowing the goods of Asia, Africa, and America to be imported into this country. If they allowed the cotton of America, and the sugar of Java, to be imported through Rotterdam, then he would ask what value was their restriction on the direct trade, when they only required a ship to go to Rotterdam to bring the goods from thence to this country? It might, to be sure, be said, that the expense of this mode of trading would be a sufficient guarantee against its being adopted. The trade would, no doubt, be always direct as a rule; but when these exceptional cases arose, it was by no means improbable that this indirect way of importing such produce would be followed. They should then consider how difficult it would be to trace by what particular ship the goods originally came, so as to carry into operation the principle which they advocated. But let them reflect upon the damage that would be given to their warehousing trade. If they were going to permit foreign ships to enter into the surrounding ports with goods ultimately destined for the British markets, what a blow they would be giving to their warehousing trade! This trade must necessarily suffer seriously if we do not allow all ships to come to this country, and avail themselves of the warehousing markets here. What have been the practical operations of the Government in respect to this question? We have carefully looked to our connexions as regards the state of these laws with other countries—we have considered the nature of the different treaties we have entered into—and having weighed all circumstances, we propose this measure, which, after all, will better carry out the objects which the hon. Member for Kilmarnock has so much at heart. Let them take, in the first place, the United States of America. The law of that country was not such as many seemed to think. The Government did not proceed upon the mere expectation of a law being passed in the United States to correspond with our law; but the Government proceeded, not upon the assurance of Mr. Bancroft, however honourable and respectable he was, but upon the assurance of an Act of Congress. He perceived by the report of the Committee of the General Shipowners' Society that they seemed utterly ignorant of that fact, and of the American law. There have been no negotiations whatever going on with America upon this subject, although there has been something in the nature of a friendly conversation. The shipowners were evidently labouring under the impression that we had received an assurance from the American Executive to carry out by treaty the principles which we advocated, and to use their influence with Congress to pass them into law. Now, instead of that being the case, he wished the Committee to understand that the law of America at this moment, without going at all to Congress, enabled the Executive to extend to every country the like concessions which were extended to themselves. So far, then, as North America was concerned, she gave to his hon. Friend all that he asked. He would take Sweden, for example. She has no restrictions whatever upon navigation, except those which were specially directed against this country in retaliation of our navigation laws. She prohibits our ships resorting to her colonies. She prohibits the produce of Asia, Africa, or America, being carried through this country to Sweden. And with regard to Russia, the hon. Member was a little mistaken, in stating that he believed Russia had perfectly free navigation. Now, a law had been passed in Russia imposing upon every foreign country the same restrictions as they imposed upon Russian shipping. We are, no doubt, protected from the operation of this law by a special treaty, which, however, will terminate in 1851. The instant that treaty expires we shall be deprived of all the advantages we enjoyed under it, unless we remove those restrictions which now exist. Prussia was in a similar situation. Our treaty has expired. He ought to have said, in regard to Russia, that she feels our restrictions upon her trade to be peculiarly oppressive; for she feels that we not only enjoy a very long voyage trade through St. Petersburgh, but a very large branch of our trade with Asia, Africa, and America, is carried on through her instrumentality, which will be greatly endangered if we persist in these restrictions. In regard to France, the restrictive policy of that country had been frequently alluded to. No doubt the French policy was very restrictive, but it was more so in regard to this country than any other, in retaliation of our law. We compel the French to go into a direct trade with the East Indies, because they could not receive on equally good terms the produce through this country. When the tariff of this country was considered the most liberal, our navigation laws were the most restrictive. He thought that centuries might elapse before we would be able to induce France or Spain to make such concessions as the hon. Gentleman wished to obtain. In regard to Holland, supposing that she was content to give us all the privileges we asked, but persisted in retaining the trade of Java, was the hon. Member prepared to refuse the extension of free navigation to Holland, although she would give us the whole of the privilege of the Dutch European trade? It was his belief that no course could be pursued calculated to increase the warehousing trade of this country better than that which the Government proposed should be adopted. If foreign ships were permitted to discharge produce at our ports, for home consumption, it would greatly increase, and of course benefit our warehousing trade. The right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), suggested that a division should be made in the foreign and the domestic trades.

Mr. GLADSTONE said, that the hon. Gentleman appeared to labour under a wrong impression with respect to his (Mr. Gladstone's) ideas upon the subject he had just alluded to.

Mr. WILSON regretted that he had misunderstood the right hon. Gentleman, and he would not, therefore, proceed to argue upon the point referred to. But he must be allowed to say that, according to his view of the case, the principle of reciprocity proposed could never be carried out with advantage to this country, inasmuch as it would confer benefits upon countries which were unimportant to Great Britain as regarded commerce, to the detriment of other important nations with which the mother country and her colonies wished to trade.

Mr. GLADSTONE said, that he had no intention of travelling into the various topics adverted to by the hon. Gentleman who had just sat down, nor to make any suggestions which might give rise to a debate upon the subject. After the manner in which his scheme had been withered by the unkind shadow thrown over it by his hon. Friend the Member for Kilmarnock, he would not now go into the matter, but content himself with saying that he should not vote for the hon. Gentleman's proposition, simply because he thought it ineffective for the object in view, and impracticable in itself. He had given expression to that opinion, inasmuch as he considered that the restrictions laid upon foreign shipping in this country were placed upon it with a view to commercial advantages, and that restrictions must be mutually withdrawn. Now that principle could not be carried out by the proposition of the hon. Gentleman. Foreign countries were, he believed, in the habit of adopting measures to meet their wants, and he thought that this country ought to do so likewise—but only upon the principle of reciprocity.

Mr. MILNER GIBSON said, that of the three expedients before the Committee—reciprocity, conditional legislation, and retaliation—he disliked the plan of the Government the least, but, nevertheless, had strong objections to it. His object in voting for repeal of the navigation laws was to enable Englishmen to select freely the ships in which to transport their goods to the destined port. It was not a question about foreigners at all. The only question was between the British shipowners, on the one hand, and the British people on the other. The British people asserted the right to select as they pleased the ships in which to transport their merchandise; and the British shipowner said, "No; you shall use my ships or none." He did not seek to give anything to the foreigner; his object was to restore to Her Majesty's subjects that civil right of which they ought never to have been deprived—the right to send their goods in whatever ship they pleased, and at the cheapest possible rate; and, unless there could be shown some national disadvantage in the exercise of this obvious civil right, he should support the Bill on this plain ground. Of the three plans, reciprocity, retaliation, or conditional legislation, reciprocity was clearly the worst. He had frequently observed of gentlemen who had been ill of the protection malady, that the first symptom of convalescence was the reciprocity stage—the perfect recovery being free trade. He had himself been in the second stage, but had quite recovered. In his opinion, the great principle was to give freedom for our own sakes, and not in respect to any conditions from other countries. Reciprocity was out of the question when we considered our treaty obligations with other countries. Take the case of Sweden. Our Minister at the Court of Sweden had emphatically insisted upon this construction of our treaty with Sweden, that whatever Sweden granted to other countries, conditionally or otherwise, should be given unconditionally to us. Having insisted upon this construction, we could not ourselves get out of it: we must grant to Sweden the same privileges, without condition, which we granted to any other country, and having granted them unconditionally to Sweden, where are we to stop? All the countries, Russia, Austria, &c., having the favoured-nation clause would follow. Depend upon it any attempt to carry out the reciprocity system in connexion with this measure, would involve us in inextricable difficulties. As to the proposed Orders in Council, he had great doubts whether it was even a wise thing to leave the regulation of trade to Orders in Council, or to permit the Executive to levy duties on the importation of commodities without the consent of Parliament. He would not say it was unconstitutional to do so, for the term constitution seemed to have no very definite meaning; but he would say that in his opinion it was very unwise as a matter of policy. As a general rule it would be far better, when any case did present itself which seemed to require that the course of trade should be interfered with, or that the taxation of the country should be increased, to appeal to Parliament, rather than leave such nice matters to the discretion of the Council. He held in his hand a paper which he had moved for, in illustration of the effect of past Orders in Council upon trade; and he there found reason to assign the origin of many of the complaints of our colonists, in a great measure to these very Orders in Council. The navigation laws, *per se*, allowed foreign ships to trade with the colonies, and to carry goods the produce of the country to which they belonged to the colonies, provided they went directly there. The Act of Parliament, however, said that foreign ships should not enjoy this privilege unless upon the specific authority of an Order in Council. What an amount of restriction such a proceeding imposed on the trade of the world! At the present moment you forbid your colonies from trading with more than half the world by withholding these Orders in Council. The colonies in America and the West Indies were prevented from trading with Belgium, Sardinia, Tuscany, the Papal States, Lucca, Greece, the Ottoman Empire, the Brazils, Peru, Uruguay, and other countries. Several complaints had been made that French ships had been prevented trading with Trinidad and Mauritius, and obtaining supplies of sugar from these colonies. The only exception was the allowing French ships to carry cargoes of ice from the island of Bourbon to Mauritius. He supposed this was done to enable the Governor of that colony to ice his champagne. They had never calculated the enormous amount of injustice they had imposed upon these colonies by the operation of these navigation laws. Was it possible to connect the colonies wlth ties of affection to the mother country when they imposed such restrictions? He believed it was the intention of the Government to impose such Orders in Council in only a few exceptional cases; but still he regretted that there was any provision of the kind in the Bill, because he was aware to what an extent this Order-in-Council system had been carried, and of the mischief which it had produced. He knew that under the provisions of this Bill all existing Orders in Council would expire, and the system would be entirely changed; but he wanted some security that restrictions would not be reimposed under the new Orders in Council. He believed that Belgium was the only country at present which was singled out for differential duties, higher duties being imposed on goods brought in a Belgian ship than on similar goods brought in any other foreign ship; and he could not conceive what public advantage would arise from the imposition of such duties. He trusted, therefore, that they would at once be got rid of.

MR. ROUNDELL PALMER confessed that he was old-fashioned enough to look at the principle of this question in the same light that it was viewed by Adam Smith. It was perfectly consistent to hold, as a general rule, that the products of foreign countries should be admitted free within our own, and to hold that certain branches of industry ought to be supported for certain paramount political objects, even though it were at some small sacrifice of commercial interests. Adam Smith thought, on such grounds, that the navigation laws ought to be supported; and if he (Mr. Palmer) was in error in being of the same opinion, he might fairly shelter himself under the authority of that great philosopher. It was constantly stated that the navigation laws of this country were stricter than those of any other nation; and if this were so, knowing that they were imposed for the express purpose of obtaining and securing a maritime supremacy for Great Britain, judge of the soundness of the policy which imposed those restrictions by the admitted prosperity and superiority of our commercial marine. Without going into the general question involved in the measure now under consideration, he would observe that, in his opinion, the Amendment of the hon. Member for Kilmarnock was not worth being supported by Gentlemen who held his (Mr. Palmer's) opinions. If the hon. Gentleman had said he would give absolute freedom to those who gave it to us, his Amendment might have been worthy of consideration; but, as it stood, he could not help thinking that its object would not be answered. With regard to the observations which had been made that night upon the policy this country ought to follow with regard to foreign countries, he agreed in much that had fallen from the right hon. Gentleman the President of the Board of Trade, who had said that we ought to look to our own interests, as foreign countries would look to theirs, independently of the course we might take. He would not be frightened by the argument that Russia and America would use threatening language to us if we did not adopt the course they wished. He believed those countries would do what they considered the best for their own interests, quite irrespective of us. Those countries had not the power to injure us in commercial matters to the extent that we might injure them. They would legislate as they thought best for their own advantage, and we could not prevent their doing so by passing this Bill or any other. If any other country, having circumstances favourable to a maritime Power like England, wished to increase its commerce, it would act as England did when she found Holland with the first commercial navy in the world—it would pass or retain navigation laws for the protection of its shipping. A nation having harbours, and rivers, and other natural resources, suitable to the growth of a maritime Power, but yet undeveloped, could not hope to create a navy so soon by free competition with other maritime countries already in possession of the markets of the world, as it might do by introducing its vessels at first into a more limited market, by the artificial encouragement of a protective system. Such a view might be thought fallacious by some political economists; but if it were the view actually taken by any foreign countries—as he thought it would be—he had no doubt at all they would act upon it. If, as the advocates of this measure prophesied, the result of our new policy would be to make us more nearly monopolists of the carrying trade of the world on the system of free competition, than we were under our navigation laws, foreign countries would naturally endeavour to support their own shipping by protective laws against our superior money power, and the start we had obtained in the trade of the world. He should like to know what the operation of the proposed legislation would be in the case of countries so situated which would not alter their navigation laws. The hon. Gentleman the Member for Westbury had admitted that France and Spain, at all events, would not alter their laws. Was it not, therefore, manifest that, with regard to such countries, the proposed course of legislation would be giving a direct advantage to the ships of foreign countries which maintained restrictions? Take the case of France. If this Bill were passed, it was clear that France, maintaining or increasing its restrictions, would have just the same advantage in trading with us as the nation which traded with us on the freest principle. In fact, the French ship would be placed in a more favourable position, because it would have advantages in the ports of both countries. Wherever there was a chance of competing with our maritime power, foreign countries would have a direct object in imposing restrictions; for they could lose nothing by doing so in the trade with this country, whereas in the trade with their own they might gain much. He could not agree with those who, sitting at his side of the House, opposed the principle of free trade generally. If he was wrong in the view he took of the necessity of protecting a branch of industry connected with the maintenance of the naval and commercial supremacy of the country, he was content to shelter himself under the authority of the strong and deliberately expressed opinion of Adam Smith, and under the entire experience of the past, which went to show that the commercial navy, and the commerce of a great country like England, could flourish under the system of navigation laws. He regarded those laws in the light of an insurance for the perpetuity of our maritime power; and if it was an insurance maintained at some trifling cost to our merely commercial interests, he thought it well worth the while of a nation, whose very existence depended on their maritime supremacy, to incur that cost for the safety of so vital an object.

MR. BRIGHT said, that some Gentlemen seem to read the biography of distinguished men only that they may pick out some weakness whereon to found a justification of their own errors. The opinion of Adam Smith was entitled to the greatest respect; but neither the opinion of Adam Smith nor of any other Adam should be held to be an absolute rule in this country. They should take the arguments and facts brought before them, and their own experience, and decide according to the best of their judgment. Adam Smith most reluctantly tolerated navigation laws, not on the ground of protection to shipping, but for the purpose, as he thought, of maintaining that naval influence which this country had been so anxious—often, he (Mr. Bright), believed unwisely—to possess. If the hon. and learned Gentleman the Member for Plymouth had read the evidence before the Committee, and attended to many of the facts elicited during this discussion, he would have seen that the danger which Adam Smith apprehended might arise was one in regard to which he was mistaken, and was perhaps purely imaginary. Where was the rival to that supremacy? Surely America was the only country hon. Gentlemen had to fear. But America was willing to give all they proposed to give, and indeed had already given it, conditionally on the passing of this Bill. If, therefore, England injured her naval resources by free navigation, so would the United States in the same degree, and the relative position of the two countries would remain the same. With regard to the Amendment of his hon. Friend the Member for Kilmarnock, he considered it should have come from the other side of the House. It denied the whole principle of free trade, and made our freedom conditional on the concessions of other nations. He thought the Government had weakened their case by the introduction of the retaliatory clause, and hoped it would be withdrawn, as no free-trade Ministry could ever attempt to enforce it. The Government were blamed for inquiring into the intentions of foreign Governments; and, in truth, it was unnecessary, and had only been done in the hope of removing some of the prejudices and fears of hon. Gentlemen opposite. He (Mr. Bright) supported the repeal of the navigation laws on the broad ground on which he had supported free trade in corn —namely, that the people of this country have an undoubted right to the best and cheapest transit of the produce of their industry, and on this ground alone did he wish the present measure to become law.

MR. LABOUCHERE said, he would not enter into the general principle, which nevertheless, there appeared some danger of the House discussing. There were many questions which it was most desirable should be considered; and he trusted the Committee would not diverge from them into the general question, which there would be full opportunity of debating on the third reading. As to the production of the foreign correspondence, the Government had thought it their duty to furnish to the House the fullest information on this subject which they could possibly procure. Upon a subject of such great national importance, the Government had thought it but due to the House to throw all the light in their power upon the views and intents of foreign Powers, and he was still of that opinion. The question of reciprocity had been so fully dealt with by his hon. Friend the Secretary to the Board of Control, that he would not enter upon it, further than to remark that the more that principle was examined, the more apparent its fallacy became. If any Gentleman would undertake to shape the principle into an Act of Parliament, he would at once perceive the great practical difficulties. His belief was, that the moment they gave way on the long voyage, it would become impossible to insist upon strict reciprocity in the general carrying trade. Although he was in principle opposed to strict reciprocity, yet, the Government being aware of the facilities it would give for carrying this measure through that and the other House of Parliament, he had most attentively considered the subject in all its bearings, in order to discover if the principle could, in consistency with the opinions of Government, be incorporated with the Bill; but the difficulties were insuperable, and he had abandoned the project in despair.

Mr. HERRIES could not avoid expressing his surprise at the emphatic declaration of the right hon. Gentleman the President of the Board of Trade as to the necessity of communicating with foreign States on the provisions of this Bill, in order that this House should thereby be apprised of the disposition and opinions of other countries with respect to them. When he remembered that the Bill they were now discussing was under consideration in the month of June last year, and when he found, by looking at the dates of the correspondence, that the first application made to any foreign Government was dated on the 21st December following—six months after the introduction of the Bill—he was at a loss to understand that declaration. And it now appeared that satisfactory communications had been received from two quarters only—from Sweden, and from our excellent and respectable ally the King of Sardinia. This was not a proper occasion to enter into discussion upon the general question, and he would not do so. The opportunity would occur on the third reading of the Bill, or upon the report, or upon both these occasions if it should be considered desirable. He would confine the few remarks he had to make to the Amendment of the hon. Member for Kilmarnock. It had been proved in the course of the debate to his satisfaction that that Amendment, and the retaliatory clause in the Bill, and the proposition of the right hon. the Member for the University of Oxford, were all equally liable to objection. It was difficult to say which was the most objectionable. The favoured-nation clause, in his opinion, alike stood in the way of working all those propositions. With respect to America, it had been represented that by the law of that country as it now existed, the Act the House now proposed to pass would be immediately reciprocated. The Secretary to the Government of America referred to an Act of their Legislature, which he said would accomplish that object. Any one who would refer to that Act would find that Mr. Buchanan was mistaken on that point. If indeed it were true that the American Government had already passed laws giving the necessary power for such a proceeding, where was the necessity for any application to them upon the subject? He had heard it said, that, although in the passage referred to by Mr. Buchanan, the fulfilment of complete reciprocity was not provided for, there was an Act of 1817 which would accomplish the purpose. He had no proof of that, and did not believe it. It was true that in answer to our request the Americans referred us to that part of the Act which provided that all duties imposed on foreign ships should be removed when such countries removed similar duties imposed on American ships. But that was a question which related to duties only, and not to the navigation laws; and the question, therefore, arose, whether, under this Act, the prohibitive and restrictive navigation clauses, which were extensive and severe in the American code, would be removed by the mere passing of the proposed Bill. The American Secretary said he thought they would, but that was not a sufficient answer. Unless Government received a more decided reply to their proposition, it would not be safe for them to act on the mere opinion of an individual as to the construction of an Act of the American Legislature. It ought to be remembered that America had, in the answer in question, distinctly excluded her coasting trade. It might be said that the Americans were not at the time they made that answer aware of our being disposed to resign a portion of our coasting trade. But they well knew, through Mr. Bancroft, the very general disposition of our Government to concede everything; and in their first official communication to us they distinctly exclude their coasting trade. It was said that Mr. Bancroft had expressed a general disposition to meet in a like spirit whatever relaxations England might make. He was reported to have said, "If you will give little, we will give little; if you give much, we will give much; if you will give all, we will give all." That, again, was not consistent with the statement that the law in America was already sufficient to effect a complete reciprocity. If relaxation on the part of America would follow relaxation made by this country, what use was there for Mr. Bancroft making the promise referred to? There was a great deal of what he would call mystification in all this, and much that required more explanation than had yet been given. The hon. Member for Manchester (Mr. Bright) was not quite correct in supposing that Government intended by any part of the measure to conciliate the Opposition side of the House. It appeared to him, from the various modes in which something like reciprocity had been attempted to be carried out, that the framers of the Bill had paid homage to the principle, while they were, in truth, unable, owing to some counteracting pressure upon them, to carry it out. The hon. Member for Manchester had also placed the question in the fairest light, and had stated a principle in which he (Mr. Herries) concurred, namely, that we ought to legislate in matters of this kind for England, for ourselves, and not for other countries; and he also agreed that we should give no advantage or privilege except for an equivalent. We could not do better than adhere to the example of the American Government in that respect. In a letter of instruction from Mr. Clay to Mr. Gallatin, that statesman observes—

> "Whatever commercial privileges are granted by the United States to any foreign nation by act of Congress or by treaties, are founded upon equivalents. Holding out the principle of fair reciprocity to all nations, we neither ask, nor profess to bestow, commercial boons."

He had only further to state that he had no wish to protract the discussion by opposing unnecessary delays to the progress of the Bill. He was determined to oppose the principle of it at the proper stage; at present he could hardly say—so small was the difference between the Amendment and the retaliatory clause—which he should prefer. He was, however, afraid that the retaliatory clause would give rise to dangerous disputes with foreign States, and that against powerful States, such as Russia and France, or America, Government would hesitate to put it in force.

MR. LABOUCHERE wished to make one remark with regard to what had been said of Mr. Bancroft. In all the intercourse he had had with him, he must say that he thought it impossible for any man to conduct himself in a more honourable and straightforward manner. He could not take upon himself to say what construction an American court of law would put upon any act of the legislature; but it appeared to him that the American President had the right—without even consulting the Senate—of withdrawing the restrictions in question. With regard to the question of retaliation, he should reserve his opinion till the subject was before the Committee.

MR. HERRIES protested against the right hon. Gentleman supposing that he had intended to cast the slightest reflection on Mr. Bancroft.

MR. ALDERMAN THOMPSON said, that those who defended the navigation laws did so on the broad ground that they were essential to the safety of the country. He confessed that he had never heard what consideration America could give for the enormous advantages proposed to be granted to her by this measure. From the geographical position of America she had decided advantages in the colonial fishing trade, and in bringing to this country the productions of Cuba, Brazil, and Porto Rico. In 1826, when Mr. Huskisson entered into reciprocity treaties with the northern Powers, fears were expressed by the friends of the shipping interest of this country. They said that if foreign countries did not reciprocate, manufacturers and other interests would complain; and that Government would find themselves reduced to the alternative of commencing war if they attended to those complaints. The hon. Member for Westbury had, on a previous occasion, alluded to the fact of Mr. Brooke having brought a cargo of sugar from Java to Holland. Mr. Brooke could not find a British ship at Java, because the enormous tonnage duties levied on foreign ships excluded British ships from the ports of Java, and he had no alternative but to send his sugar home either in a Dutch or American ship. The hon. Gentleman had stated that the present measure would greatly increase the warehousing trade. Now, with all submission to the high authority of the hon. Gentleman, he must say that he could conceive no measure more calculated to injure that trade. At present the whole produce of the East Indies was brought to this country, and the Continent was supplied indirectly. But if the shipping of Holland, Belgium, Sweden, and other Powers were to participate in the East India trade, then London, Liverpool, and the other great ports of this country would cease to be exclusively the depôts of the produce of the East. It appeared to him that the intention of the Government was to throw open our ports to the shipping of any country, but to leave it to those nations to admit or reject the shipping of this country as they might think fit. It was impossible, in his opinion, to separate the question of shipping from that of tariffs. It was known to all that America had this year greatly increased her tariff, a step which would prove a great drawback on the trade with this country. The hon. Member for Kilmarnock had referred to the increase of British shipping to show that the fears of the British shipowners in 1826 with regard to the effects of the reciprocity treaties were unfounded. The hon. Member had not, however, stated that foreign shipping had increased to a far greater extent than English shipping had during the same period. The hon. Member had talked of the trade of the whole country, forgetting that the shipowners in 1826 never expected to lose the "long-voyage," or colonial trade. What they were afraid of was, that by the reciprocity treaties, the carrying of bulky articles of produce would be lost to this country. He held in his hand a statement which showed the decline that had taken place in the employment of British vessels, as between this country and Sweden, Norway, and Prussia, from 1824 to 1846. The decrease of British vessels employed in our trade with Sweden was 26 per cent; with Norway 71 per cent, and with Prussia 33 per cent. Of the ships that had passed the Sound there were—

	British Ships.	Foreign Ships.
Average in 1824 and 1825 ...	4,363 ...	7,476
Ditto in 1843 and 1844	3,969 ...	12,164

Showing a decrease of British ships of 394, and an increase of foreign ships of 4,688. The anticipations of the shipowners, therefore, had unfortunately been too truly realised. The right hon. Gentleman the Member for the University of Oxford was correct when he said that this measure was a great shock to the commercial interests of the country. He thought the principle of the Amendment now under discussion was, upon the whole, sound; but there would be great difficulty in carrying it out, and, therefore, he had considerable doubt whether he ought to vote for it; but if this proviso should be introduced, it would not induce him to look with any more favour upon the Bill than at present.

Mr. WAWN said, however hon. Gentlemen might talk of free trade, the present measure was a free-trade measure for every interest, except in so far as the shipping interest was concerned. He would ask them what they meant to do with all the operatives in this country who were connected with shipbuilding? It appeared to him that the Chancellor of the Exchequer would just act in as equitable a manner to the manufacturers of this country who had intimated their intention of voting for this measure, if they put a duty upon the raw material of cotton, and then allowed foreign manufactured goods of the same article in free of all imposts. He considered the Bill offered a premium for building ships abroad.

Mr. BOUVERIE said, as he did not see much encouragement to proceed to a division, he would allow his Motion to be negatived.

Mr. WAWN said, he should require a division on the question.

Question put, "That those words be there added."

The Committee divided:—Ayes 15; Noes 132: Majority 117.

List of the Ayes.

Baillie, H. J.
Broadwood, H.
Buck, L. W.
Clifford, H. M.
Coles, H. B.
Gordon, Adm.
Hood, Sir A.
Hotham, Lord
Lacy, H. C.
Prime, R.
Pryse, P.
Richards, R.
Robinson, G. R.
Scott, hon. F.
Vivian, J. E.

TELLERS.

Bouverie, E. P.
Wawn, J. T.

List of the Noes.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Anderson, A.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Baring, rt. hon. Sir F. T.
Baring, T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, C. L. G.
Blackall, S. W.
Blake, M. J.
Boyle, hon. Col.
Bright, J.
Brisco, M.
Brockman, E. D.
Brotherton, J.
Brown, H.
Brown, W.
Bunbury, E. H.
Carter, J. B.
Clay, J.
Clerk, rt. hon. Sir G.
Colebrooke, Sir T. E.
Craig, W. G.
Crawford, W. S.
Cubitt, W.
D'Eyncourt, rt. hn. C. T.
Duncan, G.
Duncuft, J.
Ellis, J.
Elliot, hon. J. E.
Fagan, W.
Fergus, J.
Fordyce, A. D.
Forster, M.
Fox, R. M.
Fox, W. J.
Gibson, rt. hon. T. M.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greenall, G.
Greene, J.
Harris, R.
Hastie, A.
Hastie, A.
Hay, Lord J.
Hayter, rt. hon. W. G.
Henry, A.
Herries, rt. hon. J. C.
Heywood, J.
Heyworth, L.
Hobhouse, rt. hn. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, P. H.
Humphery, Ald.
Hutt, W.
Jackson, W.

Jermyn, Earl
Jervis, Sir J.
Johnstone, Sir J.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
King, hon. P. J. L.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lewis, G. C.
Locke, J.
Lockhart, W.
M'Cullagh, W. T.
M'Gregor, J.
Maitland, T.
Martin, C. W.
Masterman, J.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Morgan, H. K. G.
Mowatt, F.
Norreys, Sir D. J.
Nugent, Lord
O'Brien, T.
O'Connell, J.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pechell, Capt.
Peel, rt. hon. Sir R.
Peel, F.
Perfect, R.
Pigott, F.
Pilkington, J.
Plowden, W. H. C.
Pusey, P.
Raphael, A.
Reynolds, J.
Ricardo, O.
Rice, E. R.
Romilly, Sir J.
Sandars, G.
Sheil, rt. hon. R. L.
Smith, J. B.
Somers, J. P.
Somerville, rt. hn. Sir W.
Tancred, H. W.
Thompson, Col.
Thompson, G.
Thornely, T.
Thornhill, G.
Vane, Lord H.
Verney, Sir H.
Villiers, hon. C.
Wall, C. B.
Walmsley, Sir J.
Ward, H. G.
Willcox, B. M.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.

TELLERS.
Tufnell, H.
Hill, Lord M.

The proviso rejected, and Clause 1, as it stood in the Bill, agreed to.

Clause 2 up to 10, inclusive, referring to the coasting trade, were then struck out.

On Clause 11, which enacts that the coasting trade shall be limited to British ships—

> "Provided always, that this shall not extend to prevent the carriage coastwise of goods in foreign vessels of one hundred tons burden or upwards arriving from or departing for parts beyond seas in manner herein before provided for, or to prevent the conveyance of passengers in such vessels;"—

Mr. GLADSTONE said, in consistency with the principle of the Bill, this clause ought to be struck out, for, in his opinion, it infringed on the integrity of the admission already made by the Government in respect to the coasting trade, when they allowed the previous clause to be struck out. It was true they were told by the highest authorities that no danger was to be apprehended from admitting foreign vessels on the coasting trade even upon the same footing as British ships; but yet he was not disposed to think the clause now before the House ought to be admitted into the Bill. Take the case of the north-east coast of Scotland, producing oats for the London market, which came in competition with those of Denmark. The Danes were to have the choice of all the ships in the world, but the Scotch owner was obliged to send his oats in a British ship. He thought that on the principle of equality in dealing, the Committee ought to refuse to pass this clause. He would not divide the House upon it, but he certainly would vote against it if a division were taken.

Mr. LABOUCHERE was not disposed to dissent from the right hon. Gentleman in the main, yet at the same time the coasting trade was the subject of restrictions in every country, and no country in the world had yet attempted to abolish these restrictions. He, therefore, thought that Government would hardly be justified in the meantime to proceed so far, considering the present state of opinion among certain classes in regard to the changes which were chiefly to be made by the Bill. Indeed, the right hon. Gentleman himself had said the Bill would be a great shock to the trade of the country; but he (Mr. Labouchere) thought that both the right hon. Gentleman, and also the shipowners, when they came to understand their interests, would find they had been happily mistaken. Yet, as he had no wish unnecessarily to disturb their minds, he would retain the clause.

The Clause was then agreed to, as were Clauses 12 and 13.

On Clause 14 (Colonies may regulate their Coasting Trade with consent of the Queen in Council),

Mr. LABOUCHERE said, that the words of this clause might appear to some capable of admitting an extreme case, the case of two perfectly remote colonies agreeing to place their trade on the footing of a coasting trade, and so defeat the intentions of the Bill; and no doubt they might do so, but only with the consent of the Queen in Council, which was made necessary by the clause to the validity of such colonial legislation.

Mr. DISRAELI begged the right hon. Gentleman would favour the House with some further explanation as to the limit put upon the operation of the clause.

Mr. LABOUCHERE explained that all that was intended by the clause was to give to colonies which were geographically neighbours, power to make trade among themselves a coasting trade. For example, the West India Islands or the Australasian group, would come within the scope of the clause. He did not see that there would be any difficulty in carrying it into operation. Whatever might be the acts of any colonial legislature, these could not come into force without the consent of the Queen in Council.

Mr. GLADSTONE said, the clause did not definitively state what were neighbouring colonies, and what were remote; and it did not specifically point out any authority which was to decide that question: that was the great objection to the clause.

Mr. LABOUCHERE repeated that the consent of the Queen in Council was necessary to give authority to the colonial legislation, and therefore any improper acts were perfectly under control.

Mr. GLADSTONE said, the clause did not give authority to the Queen in Council to say what were neighbouring colonies and what were not. What the House wanted to know was, by what machinery the Government proposed to carry the clause into effect, and how they were to know whether colonial law was or was not contrary to British law.

Mr. HENLEY: Illustrate what you mean by "neighbouring." Give us an instance.

Mr. LABOUCHERE said, he had no difficulty in giving them illustrations—he might select the American colonies, for example, the Canadas, New Brunswick, Nova Scotia, Prince Edward's Island, Newfoundland—these were neighbouring colonies, and the object of the clause was to give such colonies the power to throw open their coasting trade, if they pleased; or, if they pleased to unite themselves into a group, and retain their coasting trade, they should still be empowered to do so. There would be no practical difficulty in construing the Act in this way; and none in enabling the Queen in Council to judge what colonies were neighbouring.

Mr. DISRAELI asked what was the reason of introducing the word "neighbouring," if it were left to the Queen in Council to judge of the expediency or inexpediency?

Mr. LABOUCHERE replied, that it had been introduced to please the right hon. Gentleman the Member for Stamford, who thought that without such a word the clause would be rather vague.

Mr. GLADSTONE said, the Queen in Council had no power to construe laws, and he desired to know, if a doubtful case arose, who was to decide what were neighbouring colonies?

The CHANCELLOR of the EXCHEQUER proposed to insert words to the effect that the Queen in Council should absolutely declare what colonies were neighbouring. The clause might pass as it stood, and be thus amended upon the report.

Mr. SCOTT suggested that the clause should be postponed altogether. What colonies could be considered as neighbouring to St. Helena and the Falkland Islands? He could assign no other definition to the word "neighbouring" in the clause, than that which was given to the parable of the good Samaritan.

The clause was then amended by the insertion of the words proposed by the Chancellor of the Exchequer; and upon the question that it stand part of the Bill,

Mr GLADSTONE objected to the principle of the clause, not upon commercial but upon legislative grounds. The right hon. Gentleman the President of the Board of Trade appealed to ancient practice as regarded the coasting trade. He (Mr. Gladstone) appealed to uniform principle. Subordinate legislatures within a State were in the nature of great corporations; and they should not be allowed to legislate upon the affairs and the property of the subjects of foreign countries. However extended might be the principle of self-government, the Imperial Government must always control and stand between the colonial legislatures and foreign States, in order to be enabled to fulfil its treaty engagements. Very strong cause ought to be shown before this principle was departed from. If the strong cause was, that it was desirable to open the coasting trade of a particular colony, or the trade between two different colonies, the way now proposed was not the only one to attain that object. The best mode, as it appeared to him, would be to give the power to the Queen in Council upon an address from the colonial legislatures. The effect would then be a domestic law, the construction of which would remain in our own hands. But how stood the case now? The colonies passed their own laws without consulting the home authorities with respect either to the terms or the purport of those laws; and very grave difficulties might arise from their enacting laws relative to the property and subjects of foreign States. If such difficulties arose, who was to construe the laws? Was the construction to be decided in the colony, or in Downing-street? If in the colony, the colony would virtually be placed in diplomatic relations with foreign Powers; if in Downing-street, it would be considered no less a grievance than it would be to withhold the power of making the laws. In either case we should be bound to secure to the ships of foreign Powers with whom we had treaty obligations, equality of dealing with the colonies; and under colonial laws avowedly passed without any interference on our part, we should be required to answer the claims of foreign Powers arising out of the construction of those laws. This was not an accumulative power, but one which it was not in the option of the Government to put in motion; and, therefore, when Ministers should be asked by any foreign State, what was their intention with respect to their intercolonial trade, they would not be able to give any satisfactory answer, and this diversity of legislation would necessarily lead to great embarrassment. He certainly could consent to no proposition of the kind, unless it could be shown that such a mode of legislation was not a departure from general usage, and one from which experience assured us inconvenience would not arise.

MR. LABOUCHERE repeated that the object was to give to the colonies the power of dealing with their own coasting trade in the manner they thought would best promote their interests. The ingenuity of the right hon. Gentleman the Member for the University of Oxford, had rather acted as a trap for his judgment. It was undoubtedly a conceivable case that the colonies might pass exclusive laws which would involve us in foreign countries; but the right hon. Gentleman must recollect that the Queen had the power of refusing her assent to those laws. A similar difficulty might arise with regard to foreign goods. Some colony might pass a law admitting the produce of one country, but prohibiting that of another; and the preference might be in direct contradiction to treaties and stipulations between Great Britain and that country. The truth was, no colony would think of such a step, for it would not be their interest. But if they did, the Queen in Council would certainly exercise her power of disallowing all such acts.

MR. GLADSTONE said nothing could be more distinct in legislation than the difference between foreign ships and foreign goods. Foreign goods were the property of anybody; foreign ships, in their origin, belonged to the subjects of foreign States, and rights grew up as to the treatment of those ships.

MR. SCOTT could not conceive a more embarrassing state of things than would arise under this clause, if a foreign Power admitted by the act of a colony to the intercolonial coasting trade, happened to be also at war with this country. He wished to know how it was proposed to deal with such a case as that?

MR. ROBINSON objected to the clause, after all the explanations that had been given of it, because it enabled the Queen in Council to dispense with the existing laws, and allow foreigners to carry on a coasting trade between two or more colonies.

SIR R. PEEL called the attention of the right hon. Gentleman the President of the Board of Trade, to the point suggested by the hon. Member for Berwickshire, and observed that the clause made no provision whatever for such a case.

MR. LABOUCHERE, in reply, said, that any Power at war with this country would be excluded from every port in Her Majesty's dominions.

SIR R. PEEL: But the colonies knew nothing whatever of the foreign relations of this country, or of the mother country being at war with any Power. Would it not be well, then, that the mother country should say with what foreign Powers there should be an intercolonial trade? First of all, we had a retaliatory power; the colonies had none. How was the retaliatory power to be carried into effect with regard to the colonial coasting trade, if not by us? Suppose a gross wrong committed towards this country by one of the Powers admitted to trade intercolonially, how was the retaliatory power to be applied? By the alteration just made in the clause, the Crown was to determine which were neighbouring colonies. The colonies, therefore, had not a full discretion to determine whether their coasting trade should be open. The Crown had the power of refusing its assent to the colonial acts, besides the retaliatory power. It would consequently be only consistent to give the mother country the further power of saying between what colonies the coasting trade should be open to foreigners.

MR. DISRAELI apprehended the objection of the right hon. Baronet, with regard to a foreign war, was not tenable. These were only municipal rights; and a declaration of war, by the law of nations, would instantaneously destroy all engagements, compacts, and conventions entered into by any colony with any foreign State. By modern practice, an embargo, without a declaration of war by the Imperial Government, would settle the question, and we could seize foreign ships in any port in Her Majesty's dominions.

The CHANCELLOR OF THE EXCHEQUER said, the East India Company had exactly the same powers which it was proposed to give to the colonies, with the single condition that they were not to be exercised contrary to treaties. They might regulate their coasting trade and their foreign trade in any way they chose, provided it was not inconsistent with treaties; but if this country was at war, that circumstance would over-ride all the powers of the Company. He apprehended that the power of withholding the Royal assent was a sufficient protection against the colonies involving this country with foreign Powers.

SIR G. CLERK opposed the clause, because it gave restraining, rather than relaxing powers. He could not see upon what grounds the colonial legislatures were entitled to place restrictions upon intercolonial trade.

MR. LABOUCHERE said, he wished to leave them that which was not only strictly, but technically, their coasting trade. This was particularly desirable in the case of our North American colonies, which were within sight of the United States. To say that a vessel should not go from a port in Maine to New York, or from St. John's in New Brunswick to Halifax in Nova Scotia, would be nominally fair and equitable, but actually a great injustice. Although the countries might be foreign, yet for all purposes of navigation they were the same. As his right hon. Friend the Chancellor of the Exchequer had observed, the same principle existed in the case of the East India Company, without any difficulty whatever resulting from it.

MR. GLADSTONE said, that from his connexion with the Board of Trade, he had reason to know that great practical difficulty had arisen from this power being in the hands of the East India Company. But even were it otherwise, the cases were not analogous. The Government of India was carried on in this country, being under the joint authority of the East India Company and the Board of Control, the head of which had a seat in that House; but a colony never consulted them about its laws at all. A new point had been raised by his right hon. Friend the Member for Dovor. As the Act stood, they gave an entire and absolute freedom of trade to the vessels of all foreign countries in the intracolonial trade, but at the same time they were now about to give a restrictive power to the colonial legislatures. They conferred a right by Act of Parliament, and at the same time gave the colonial legislatures a power of taking it away.

MR. LABOUCHERE said, he would appeal to the House whether that was a fair way of putting the case. Though they were about giving the power to the colonies nominally of imposing restrictions, it was virtually nothing more than extending to the colonies the power which this country reserved to itself—of retaining the coasting trade. If the reservation were just in the case of the mother country, or of any particular colony, it was surely equally so in a case where two colonies formed actually but one country. To act otherwise would be similar to declaring that the trade between Great Britain and Ireland was not to be regarded as a coasting trade.

MR. HERRIES said, that the proposition of Her Majesty's Government was to enable the colonies to make an exception to the general rule laid down by that House. Until his right hon. Friend the Member for Dovor had pointed out the inconsistency, the spirit of the Bill was supposed to be of an entirely opposite character.

The ATTORNEY GENERAL said, that no colonial legislature could impose this restriction until the Queen in Council first declared two colonies to be neighbouring colonies; and the Queen would not declare colonies to be neighbouring for any purpose that would interfere with treaties, or that was inconsistent with the general statute. The object of the clause was merely to maintain the spirit of the Act with regard to the coasting trade in the colonies as well as in the mother country.

MR. HENLEY said, that according to the hon. and learned Gentleman, the Queen in Council had only to declare two colonies to be neighbouring in order to give them the power of imposing restrictions. If they really wanted the power to remain in the Queen in Council, they ought to adopt the suggestion of the right hon. Gentleman the Member for the University of Oxford.

MR. GLADSTONE said, it was his intention to move an Amendment to the Clause, to leave out all the words after the word "that" in the first line, in order to insert words to the effect that it should be lawful for Her Majesty in Council, on an address, or joint address, as the case might be, from the Legislative Council or Assembly of any of Her Majesty's colonies, to effect the regulations required; but as he understood that he could not move such an Amendment, he should feel it his duty to negative the clause.

Motion made, and Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided:—Ayes 158; Noes 104: Majority 54.

List of the AYES.

Abdy, T. N.
Adair, R. A. S.
Anderson, A.
Anson, hon. Col.
Anson, Visct.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagshaw, J.
Baring, rt. hon. Sir F. T.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Birch, Sir T. B.
Blackall, S. W.
Blake, M. J.
Bouverie, hon. E. P.
Boyle, hon. Col.
Bright, J.
Brockman, E. D.
Brotherton, J.
Brown, H.
Brown, W.
Bunbury, E. H.
Campbell, hon. W. F.
Carter, J. B.
Caulfeild, J. M.
Clay, J.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Dashwood, G. H.
D'Eyncourt, rt. hn. C. T.
Duncan, G.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellis, J.
Elliot, hon. J. E.
Enfield, Visct.
Evans, W.
Ewart, W.
Fergus, J.
Ferguson, Col.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fox, R. M.
Fox, W. J.
Glyn, G. C.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Grattan, H.
Greene, J.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Harris, R.
Hastie, A.
Hastie, A.
Hay, Lord J.
Hayter, rt. hon. W. G.
Headlam, T. E.
Heneage, E.
Heywood, J.
Heyworth, L.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Howard, Lord E.
Howard, P. H.
Jackson, W.
Jervis, Sir J.
Keppel, hon. G. T.
Kildare, Marq. of
King, hon. P. J. L.
Labouchere, rt. hon. H.
Lemon, Sir C.
Lennard, T. B.
Lewis, G. C.
Loch, J.
Locke, J.
M'Cullagh, W. T.
M'Gregor, J.
Maitland, T.
Mangles, R. D.
Marshall, J. G.
Martin, C. W.
Matheson, A.
Matheson, Col.
Melgund, Visct.
Milner, W. M. E.
Milnes, R. M.
Milton, Visct.
Mitchell, T. A.
Morris, D.
Mostyn, hon. E. M. L.
Mowatt, F.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, T.
Ogle, S. C. H.
Ord, W.
Paget, Lord A.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Pechell, Capt.
Perfect, R.
Pigott, F.
Pilkington, J.
Pryse, P.
Pusey, P.
Raphael, A.
Reynolds, J.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Romilly, Sir J.
Sandars, G.
Scully, F.
Shafto, R. D.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Simeon, J.
Smith, rt. hon. R. V.
Smith, J. A.
Somers, J. P.
Somerville, rt. hn. Sir W.
Stansfield, W. R. C.
Stanton, W. H.
Tancred, H. W.
Thompson, Col.
Thompson, G.
Thornely, T.
Townshend, Capt.
Vane, Lord H.
Verney, Sir H.
Villiers, hon. C.
Vivian, J. H.
Wall, C. B.
Walmsley, Sir J.
Ward, H. G.
Watkins, Col. L.
Westhead, J. P.
Willcox, B. M.
Willyams, H.
Willoughby, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Acland, Sir T. D.
Adair, H. E.
Arbuthnott, hon. H.
Arkwright, G.
Baillie, H. J.
Baldock, E. H.
Baring, H. B.
Beresford, W.
Blair, S.
Boldero, H. G.
Bowles, Adm.
Bramston, T. W.
Bremridge, R.
Brisco, M.
Bruce, Lord E.
Burghley, Lord
Christy, S.
Clerk, rt. hon. Sir G.
Coles, H. B.
Disraeli, B.
Dodd, G.
Drumlanrig, Visct.
Drummond, H.
Duncuft, J.
Dunne, F. P.
Edwards, H.
Farrer, J.
Fellowes, E.
Filmer, Sir E.
Forbes, W.
Fox, S. W. L.
Fuller, A. E.
Gladstone, rt. hn. W. E.
Goddard, A. L.
Gordon, Adm.
Granby, Marq. of
Greenall, G.
Hamilton, G. A.
Heneage, G. H. W.
Herbert, rt. hon. S.
Herries, rt. hon. J. C.
Hervey, Lord A.
Hildyard, R. C.
Hodgson, W. N.
Hood, Sir A.
Hope, Sir J.
Hotham, Lord
Hutt, W.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Lacy, H. C.
Lincoln, Earl of
Lindsay, hon. Col.
Lockhart, W.
Lygon, hon. Gen.
Meagher, T.
Mandeville, Visct.
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Moffatt, G.
Monsell, W.
Mullings, J. R.
Mure, Col.
Napier, J.
Nugent, Lord
O'Brien, Sir L.
Ossulston, Lord
Packe, C. W.
Palmer, R.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, Col.
Peel, F.
Pigot, Sir R.

Plowden, W. H. C.
Prime, R.
Reid, Col.
Rendlesham, Lord
Renton, J. C.
Repton, G. W. J.
Robinson, G. R.
Rushout, Capt.
Seymer, H. K.
Smyth, J. G.
Sotheron, T. H. S.
Stafford, A.
Stanley, hon. E. H.
Stuart, J.
Thompson, Ald.
Thornhill, G.
Tollemache, J.
Turner, G. J.
Verner, Sir W.
Villiers, Visct.
Villiers, hn. F. W. C.
Vivian, J. E.
Walpole, S. H.
Walsh, Sir J. B.
Wawn, J. T.
Young, Sir J.

TELLERS.
Scott, F.
Henley, J. W.

Clause 15 was also agreed to.

On Clause 16 (No Ship British, unless registered and navigated as such),

Mr. A. HASTIE moved, as an Amendment, that the whole of the remainder of the clause, after the words "duly registered," be struck out. The effect of this Amendment would be to do away with the obligation upon the British shipowner to have three-fourths of his crew composed of British seaman. He maintained that it was unjust, when they were to expose the British shipowner to open competition with all the world, to impose any such restriction as this upon his free choice of his crew.

Amendment proposed, page 7, line 20, to leave out the words from "registered," to the end of line 25.

Mr. LABOUCHERE opposed the Amendment. The clause as it stood required a British ship to be three-fourths British manned; and it was clear no practical benefit would accrue to the shipowner by altering the proportion of British seamen. The witnesses examined before the Committees of both Houses generally concurred in the opinion that this regulation imposed no appreciable burden upon the shipowner, and that the alteration of it would afford to him in fact no real relief; for he would be obliged to pay the foreign part of his crew the same rate of wages as he gave to the British seamen he retained in his service. The privilege of hoisting the British flag, and of enjoying the protection of our Navy, must continue great advantages to the British shipowner after the passing of this law; and if they were to strike out the part of the clause objected to by the hon. Gentleman, the effect would be, that any ship that was foreign-built, and had a foreign captain and a foreign crew—any ship, in fact, that had no other British characteristic but a British flag, and was British owned—would be allowed to enjoy the same rank and the same privileges as a *bonâ fide* British ship.

Mr. G. DUNCAN saw no reason why the British shipowner should not be allowed to get his seamen from whatever quarter he liked.

Mr. BRIGHT had been told a few days ago by the captain of a British ship, an intelligent and able man, who had commanded a vessel of 500 tons for fifteen years, and who, he believed, was also part owner, that the abolition of the navigation laws would be no disadvantage to him nor to his sailors; but he said that it would be necessary to alter that clause which compelled every British ship to be navigated by at least three-fourths British seamen. This gentleman further told him that English sailors were the most turbulent seamen on the face of the waters. Though they were in some respects more hardy and able than foreigners, they were generally much more difficult to manage, the reason being that they knew they must be employed, and that they had a monopoly of employment on board British ships; and though the abolition of the clause might not result in the manning of British ships by foreign sailors to any considerable extent, it would operate as a check on the English sailors, and induce them to pursue a more rational course of conduct; and perhaps become as reasonable, and as easy to manage as those of any other country. With regard also to the proviso at the end of the clause, this captain declared that its effect was most unfavourable. He said that English ships required in consequence more men in proportion to their tonnage than American ships. The American ships were manned on the average with 3½ men per 100 tons; while the English ships required five men per 100 tons to navigate them; and this difference arose in consequence of the opinion that prevailed that the regulations required one British sailor for every 20 tons, and which the seamen were under the impression the law enforced. If the Americans could navigate their ships with 3½ men per 100 tons, surely the English sailors could do the same. This captain, therefore, considered that it would be an advantage if this proviso were left out. He admitted that there was no law on the subject; but the marginal note in the old navigation law had led to a contrary impression, and had produced much inconvenience. If the hon. Member for Glasgow divided on his Amendment, he (Mr. Bright) should vote with him. He had no notion of this left-handed justice by which the interests of the public were considered by the carrying of this Bill, while the interests of the shipowners were sacrificed by the continuance of these restrictions. In his view, the shipping interest should have the same freedom of trade as was accorded to the manufacturer and the corn grower, and that all restrictions which they considered injurious to the carrying on of their trade should be removed.

MR. **ROBINSON** could not help remarking the glaring inconsistency of the conduct of the Government in declaring at the one time that our seamen and captains were the worst behaved and most unfit men in the world to command and man ships, and then the next moment compelling the British shipowner to employ these most unfit captains and misbehaved men in navigating their ships. This was certainly an extraordinary anomaly, and he should like to know how it was to be satisfactorily explained. If we intended to expose our shipowner to universal competition by law, he was certainly entitled in return to have every species of disability removed from him; and he (Mr. Robinson) believed that the proposed restrictions in manning would prove a great disadvantage to the British shipowner, exposing him to all the evils, and withholding from him all the advantages, of free trade. A more important consideration, however, than this, was the influence of these regulations upon the defence of the country.

MR. **MOFFATT** thought that these restrictions upon manning ought to be removed. At the same time, he did not think any very sensible effect would be felt from the competition of the maritime nations of the north, who navigated their ships at a cheaper rate than us. Norway, Sweden, and Denmark together had only 30,000 men, our coasting trade alone employing 50,000; and the only effect of the competition from these three northern nations would be, to diminish our seamen's wages a little, and increase the wages of their own to a considerable extent.

MR. **CLAY** supported the Amendment. If they were to take away all the shipowner's privileges, they ought not, in common fairness, to refuse, at the same time, to remove his peculiar disadvantages. Most of the interests of this country that had enjoyed protection, had also laboured under countervailing and peculiar burdens; and, indeed, the pretext used whenever these interests raised an outcry against the impositions of these peculiar burdens was—"You have no right to say a word—look what a thumping protection you have got." If the right hon. President of the Board of Trade was so enthusiastic in carrying out his free-trade theories, let him, at all events, not allow what relics of it he chose to preserve to be such as inflicted an injustice and an injury upon the British shipowner.

SIR F. T. **BARING** said, the practical effect of this Amendment would be to throw the whole of the trade open to the most unqualified foreign competition. If this clause were rejected, the result would be that the naturalised foreigner might employ, even in our coasting trade, a foreign-built ship, with a foreign master, and entirely a foreign crew. Certainly some hon. Members on this side of the House might not object to going that length, but hon. Gentlemen opposite, who took the shipping interest entirely under their especial protection, would surely pause before they sanctioned an Amendment that would have such a result as he had pointed out.

MR. **GLADSTONE** said, that as the law at present stood, a naturalised foreigner might build a manufactory in this country of foreign wood and foreign bricks, and by the aid of foreign workmen. He might have a foreign superintendent, and employ foreign operatives to work up foreign materials, and then export every farthing's worth of the articles to a foreign country. The naturalised foreigner, if he chose, might do all this; and he apprehended we, in this country, would not be sorry for it, or think it any great misfortune, but, on the contrary, think he was contributing to the wealth and greatness of England. And so with regard to the case of shipping; if the naturalised foreigner thought proper to have his ship so built, and so manned, and so placed within our reach, as the right hon. Gentleman had suggested—a case which, by the by, was certainly very unlikely and very chimerical—why, even that might not be so very great an evil as some seemed to suppose; for if any great inducement were held out to parties to act in this manner—if a case so chimerical were to occur—if, indeed, it was not to be considered a chimerical but a real and likely case—if it happened at all, it would be because the shipowner found it to be to his advantage to embark his capital in this way. And when they were depriving the British shipowner of all his protection, and exposing him to open competition with all the world, they were bound, no less upon the principles of free trade than upon the principles of evenhanded justice, to relieve him from all these restraints upon the manning of his ships.

The ATTORNEY GENERAL thought the Committee ought at all events to be at least consistent; let them not do that in their legislation which would make them the laughing-stock of all other nations; let them not give a protection to the coasting trade at one moment, and then the very next do away with that protection altogether. By the preceding clauses that they had already affirmed, they had laid it down that a certain trade—the coasting trade—should be exclusively confined to a certain class of vessels having the character of "British vessels;" and the effect of this Amendment would be to say, either that anything was a British ship, or that there was no such thing as a "British vessel" at all; for a foreign owner who had become a naturalised subject of this country by paying 10*s.* 6*d.*, might have a ship that was foreign-built, with a foreign master and a foreign crew, registered and entitled to all the privileges of a British ship, if the Committee were to stultify their former proceedings by adopting this Amendment. Let the Committee be at least consistent with themselves, and not attempt by a sort of side-wind to undo what they had already done by affirming the preceding clauses of this Bill.

MR. W. BROWN said, the superiority of the American crews, to which reference had been so often made, arose undoubtedly from the liberty which the American shipowners enjoyed of taking their hands from whatever source they chose.

MR. LABOUCHERE expressed his opinion that the Amendment would, if adopted, produce the greatest practical evils. His hon. Friend the Member for Glasgow would not contend that American ships were manned by any but British seamen; and if it were true that fewer British seamen were able to navigate an American than were required to navigate a British ship, then the fact depended upon separate and distinct causes, which the House would do well afterwards to examine. He believed that the Amendment would excite great alarm and panic in the mercantile navy, and he hoped that the House would insist upon British ships being manned by a great proportion of British seamen.

MR. ALDERMAN THOMPSON supported the clause, although he feared that it might be, to a certain degree, productive of hardships to British shipowners. Were the Amendment to be carried, there would be an end to everything like British registers, except in the coasting trade. By the present state of the law, the captains of British ships improperly provisioned were liable to be indicted as misdemeanants. He wished to know whether the hon. Member for Glasgow would propose to abolish this regulation?

MR. SCOTT contended that the 18th Clause virtually repealed the one under discussion.

MR. LABOUCHERE explained that it was found necessary to reserve a certain power to the Queen in Council to relax some of the restrictions involved in the navigation laws.

MR. MITCHELL pointed out several advantages which would still arise from a vessel having a British register. Some of these advantages were well shown during the Schleswig-Holstein dispute. It was all moonshine to say that English owners would take foreigners in preference to English sailors. He would vote for the Amendment, to test the value of the "cry," and to remove a theoretical grievance. The effect of throwing open our ships to foreign seamen would be, to raise the general level of their wages to our own standard.

VISCOUNT PALMERSTON thought that the proposal of the hon. Gentleman the Member for Glasgow would lead to embarrassment in case of war between this and any other country. In case two nations were at war, the proposal now under discussion would afford facilities to the merchant vessels of one of the two belligerents to assume the character of British ships. The difficulties which would arise when the protection of British ownership was claimed and disputed by the other belligerent, must also be considered; as also the political difficulties into which this country might be thrown, by reason of a ship being entered as a foreign ship, owned by foreigners, and manned by foreign seamen.

MR. BOUVERIE thought that the difficulty was created by the Bill. It was notorious that a foreign captain could be naturalised in this country for 10*s.* 6*d.*

SIR G. GREY thought the hon. Member laboured under a misapprehension as to the facilities afforded for naturalisation in this country. It was necessary that the Secretary of State should obtain a certificate of the past residence of the party in this country, and an assurance of future residence. In the absence of these tests, many applications for naturalisation had been refused.

Viscount PALMERSTON would add, that, if it were easy for the foreigner to evade the proposed law, it would be equally easy for us to evade the difficulty by the same process.

The Marquess of GRANBY said, that great disadvantage would arise to the British shipowner from retaining the restriction; but if it was removed, and foreign sailors allowed to be taken, the naval supremacy of the country might be endangered; but whether foreigners were introduced or not, the only way that the British shipowner could compete with his foreign rival was, by lowering the condition of the British seaman. In the expressive language of Mr. Richmond, every British vessel must, in such a case, become a pinch-gut ship.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee divided:— Ayes 197; Noes 53: Majority 144.

List of the Ayes.

Abdy, T. N.
Acland, Sir T. D.
Adair, R. A. S.
Anson, hon. Col.
Arbuthnott, hon. H.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagshaw, J.
Baldock, E. H.
Baring, H. B.
Baring, rt. hn. Sir F. T.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Blackall, S. W.
Blake, M. J.
Boldero, H. G.
Bowles, Adm.
Boyle, hon. Col.
Bramston, T. W.
Brisco, M.
Brockman, E. D.
Brotherton, J.
Bruce, Lord E.
Burroughes, H. N.
Buxton, Sir E. N.
Campbell, hon. W. F.
Carew, W. H. P.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Chaplin, W. J.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Collins, W.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. G.
Currie, H.
Dashwood, G. H.
D'Eyncourt, rt. hon. C. T.
Disraeli, B.
Dod, J. W.
Dodd, G.
Douglas, Sir C. E.
Drummond, H.
Duff, G. S.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellis, J.
Elliot, hon. J. E.
Emlyn, Visct.
Evans, W.
Fellowes, E.
Filmer, Sir E.
Fitzwilliam, hon. G. W.
Foley, J. H. H.
Fortescue, hon. J. W.
Fox, R. M.
Fuller, A. E.
Glyn, G. C.
Goddard, A. L.
Gordon, Adm.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Granby, Marq. of
Grattan, H.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Hallyburton, Ld. J. F. G.
Hay, Lord J.
Hayter, rt. hon. W. G.
Heneage, G. H. W.
Heneage, E.
Herbert, rt. hon. S.
Hervey, Lord A.
Heywood, J.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Hood, Sir A.
Hope, Sir J.
Hotham, Lord
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Howard, P. H.
Jervis, Sir J.
Johnstone, Sir J.
Jones, Capt.
Keppel, hon. G. T.
Kildare, Marq. of
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennard, T. B.
Lewis, G. C.
Lindsay, hon. Col.
Loch, J.
Locke, J.
Lockhart, W.
Lowther, H.
M'Cullagh, W. T.
Mahon, The O'Gorman
Maitland, T.
Mandeville, Visct.
Mangles, R. D.
Marshall, W.
Martin, C. W.
Matheson, Alex.
Matheson, Col.
Miles, P. W. S.
Morris, D.
Mostyn, hon. E. M. L.
Napier, J.
Nugent, Lord
O'Brien, T.
Ogle, S. C. H.
Ossulston, Lord
Packe, C. W.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, F.
Philips, Sir G. R.
Pigott, F.
Pinney, W.
Plowden, W. H. C.
Prime, R.
Pusey, P.
Raphael, A.
Reid, Col.
Reynolds, J.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Romilly, Sir J.
Rumbold, C. E.
Russell, F. C. H.
Sandars, G.
Scott, hon. F.
Scully, F.
Seymour, Lord
Sheil, rt. hon. R. L.
Sheridan, R. B.
Simeon, J.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smollett, A.
Somers, J. P.
Somerville, rt. hon. Sir W.
Sotheron, T. H. S.
Spearman, H. J.
Stafford, A.
Stanley, hon. E. H.
Stansfield, W. R. C.
Stanton, W. H.
Stuart, Lord J.
Talbot, J. H.
Townshend, Capt.
Traill, G.
Turner, G. J.
Verner, Sir W.
Verney, Sir H.
Vesey, hon. T.
Walpole, S. H.
Walsh, Sir J. B.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Westhead, J. P.
Wilcox, B. M.
Willyams, H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.
Wyvill, M.
Young, Sir J.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the Noes.

Adair, H. E.
Anderson, A.
Birch, Sir T. B.
Bouverie, hon. E. P.
Bright, J.
Brown, W.
Bunbury, E. H.
Clay, J.
Cobden, R.
Cowan, C.
Duncan, Visct.
Ewart, W.
Fagan, W.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Greenall, G.
Greene, J.
Harris, R.
Headlam, T. E.

Henry, A.
Heyworth, L.
Hindley, C.
Hutt, W.
Jackson, W.
Kershaw, J.
King, hon. P. J. L.
Lawless, hon. C.
Lincoln, Earl of
M'Gregor, J.
Marshall, J. G.
Melgund, Visct.
Milner, W. M. E.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Monsell, W.
Mure, Col.
Pechell, Capt.
Peel, Col.
Pilkington, J.
Renton, J. C.
Seymer, H. K.
Shafto, R. D.
Stuart, Lord D.
Tancred, H. W.
Thompson, Col.
Thompson, G.
Thornely, T.
Vivian, J. H.
Walmsley, Sir J.

TELLERS.
Duncan, G.
Hastie, A.

Mr. A. HASTIE then proposed to omit from the clause the proviso allowing one British seaman for every twenty tons burden in certain specified cases.

Mr. LABOUCHERE said, that this proposition was in the nature of a relief to the stringent character of the other part of the clause. It did not render it compulsory that the master or owner of the ship should be compelled to have one seaman for every twenty tons burden, if he did not wish to do so.

Mr. BRIGHT said, that the first part of the clause stated that a ship must be manned with three-fourths of British crew. The present proposition was, that when the owner or master got as many men as he required, he might then take as many foreigners as he liked. The effect of this proviso had been to create an impression among the sailors, that they must have five men for every 100 tons. American ships were brought from New York to Liverpool with three or three and a half men to every 100 tons; but an English ship from Liverpool to New York would require to have five men to every 100 tons. The Government appeared desirous of following the injurious precedent of the old law, but he trusted that they would consent to omit this proviso from the clause.

Mr. LABOUCHERE begged his hon. Friend the Member for Glasgow to withdraw the Amendment until bringing up the report. As the proviso was a relaxation of the existing law, he did not wish to consent to withdraw it until he had an opportunity of considering the subject.

After a few words from Mr. Wawn and Mr. Hastie, Amendment withdrawn, and the clause agreed to.

Mr. DISRAELI said, that as it was well understood that it was impossible for them to conclude their labours in Committee that night, he should take the liberty of moving that the Chairman do report progress, and obtain leave to sit again.

Mr. LABOUCHERE hoped the hon. Member would allow the two next clauses to go through Committee; they would then come to the retaliatory clauses, upon which possibly some discussion might take place.

Clauses 17 and 18 were then agreed to.

On the Motion that the Chairman report progress,

Mr. DISRAELI rose and said: Before we agree to that Motion, Sir, I wish to make an observation—a single observation—upon the remarkable circumstances which have attended the progress of this Bill to-night. I came down, Sir, in common with most Gentlemen present, expecting that the occasion would be taken by a very eminent Member of this House to develop one of the most important principles which can affect the trade and navigation of this country—the application of the principle of reciprocity to the Bill which is now under our consideration. I think I was justified in the anticipation in which I had indulged. It was no vague rumour—no transient idea floating for a moment through the atmosphere of Parliament. The right hon. Gentleman the Member for the University of Oxford had upon every occasion that offered itself informed the House and the country that he would take occasion to express in detail the plan which he had already rather prodigally intimated to the House—that he would at this stage of the Bill give us an opportunity of deliberating upon a subject of great interest to the public out of doors. Under these circumstances the House, I am sure, sharing in the interest which influenced me, was greatly surprised by seeing instead of him another right hon. Gentleman, equally distinguished, rise at the opposite side of the table and make a communication almost as important, certainly as interesting, and much more startling. The right hon. Gentleman the President of the Board of Trade, the moment we went into Committee—indeed, I believe even before the House was in Committee—suddenly addresses us and informs us that he is going to withdraw one of the most important portions of the new Bill, and, in fact, the only feature which distinguishes the Bill now before us from the measure of last year. When I remind the House that out of thirty-two clauses of which the present Bill consists, ten clauses by this sudden arrangement are to be omitted, and four more seriously modified, making in all fourteen clauses, there is surely ample reason for surprise. But no sooner had the President of the Board of Trade informed the House of this great sacrifice, on the part of himself and the Government, than the other right hon. Gentleman, the Member for the University of Oxford, rises, amid breathless attention, as we thought to compensate for the loss already experienced, by seizing the occasion to propose the interesting addition we anticipated; but it turned out to be to inform the House that he also intended to make great sacrifices; and that he, on his part, imitating the example of the right hon. Gentleman the President of the Board of Trade, was about to give up that great development of the principle of reciprocity which we awaited with so much suspense. I must do the right hon. Gentleman the justice to admit that, in making this announcement, he entered into many reasons—reasons which made us the more regret that we had not the full benefit of his ideas upon the great topic to which he referred, as well as his arguments for adopting that determination which so surprised us. The first reason he urged was that he expected to be supported only by a very slight minority, and the last was that he did not make the proposal because he did not wish to embarrass Her Majesty's Ministers. Now, by what means a slight minority could embarrass a Government even as powerful as the present, I am at loss to understand. We all observed with what scholastic ingenuity the right hon. Gentleman connected these two propositions. It was to me a remarkable exhibition to see with what resignation both the right hon. Gentlemen gave up the children of their adoption—making such marvellous sacrifices. I was almost reminded by them of that celebrated day in the French Revolution when the nobles and the prelates vied with each other in throwing coronets and mitres to the dust, as useless appendages. I think that day is still called "the day of dupes;" and I hope the House and the country, when they recall the incidents of this evening, will not be reminded that they may have had some share in the appellation. One observation I must make upon the reason given by the right hon. Gentleman the President of the Board of Trade for the erroneous calculation in which he indulged with respect to the first project in reference to the coasting trade. He exonerated, with ostentatious generosity, the chief Commissioner of Customs from blame. I feel an interest in the political reputation of that gentleman. He is one of my constituents; and while I admit the generosity of the right hon. Gentleman in thus exonerating him from blame, I cannot help thinking that it would have been much more magnanimous if the name of Sir Thomas Fremantle had not been introduced at all—for, however the right hon. Gentleman may consider it, or wherever he may wish to shift the blame, he and his Colleagues are responsible for the error. [Mr. LABOUCHERE: Hear, hear!] Oh yes! you are willing to bear it now; but why did you attempt to excuse your blunders by introducing the name of a gentleman, which under no circumstances ought to have been mentioned in this debate? You have had plenty of time to consider this point, yet the difference between your measure of last Session and the present Bill consists in those very clauses in which you have so egregiously blundered. What is the general effect of this remarkable evening — this evening when we assembled to go into Committee —when we aspired to do nothing more than to amend the details of a great and well-considered and matured measure—what, I say, has been the effect of this evening? Why, it cannot be concealed, that this Bill for a repeal of the navigation laws has received to-night a paralytic stroke. But although that might be, what I am convinced it is not, a source of triumph and a cause of exultation to those who are opposed to the Bill, and although, from the extraordinary exhibition which it affords of the inefficiency of the Ministers, it may be a source of jest and merriment within doors, of this I am persuaded, that, out of doors, what has taken place here to-night will give rise to very serious and mournful considerations. Sir, there is very great distress in this country. There is no interest which is not suffering. I do not want, on the present occasion, to enter into a discussion of the causes of that suffering. I am not disposed, just at this moment, to approach the consideration of that subject. I believe that many of those who suffer out of doors might have been inclined, until a recent period, and that some of them are even still disposed, to submit to your legislation, if possible, without a murmur; but what they complain of is, not so much that their fortunes are injured — not so much that their prospects are blighted by your legislation, but that that legislation has been precipitate and ill-advised—that it has not been matured—that, in a word, they have been sacrificed, not to a necessity foreseen long years ago by great statesmen, and regulated by the prescience of master minds—but that their fortunes have been destroyed and their position in life deteriorated, because suddenly, abruptly, without thought, with great precipitation, in a hurried, blundering, and hasty manner, you have passed laws which have most perniciously affected the great interests of this country. The agricultural interest is suffering most poignantly. I am not going to discuss the laws which have occasioned that suffering; but the men who suffer cannot lose the consciousness of this fact, that the Ministers who repealed the corn laws did not do so from conviction. They were panic stricken, and it is notorious that, a short time before they repealed them, they were, themselves, the most strenuous advocates of those laws. But they found a combination of circumstances with which they fancied that they were unable to cope, and for that reason they changed their opinions in a hurry, and great interests were sacrificed, and great suffering occasioned. Your victims would have been better contented, and would have found less difficulty in reconciling themselves to their hard fate, if the change had been made in a legitimate manner, after due deliberation, after the conviction of the people had been testified at a general election, approving the change of opinion in their representatives. I do not wish now to say one word against the abstract policy of your legislation; but this I do say, that the sufferers feel their sufferings the more keenly because they are the result of precipitate legislation. There is another great interest prostrate—the colonial interest, and more particularly that branch of it known as the sugar interest, which has been ruined by an Act that was carried by the votes of those who spoke against the destructive policy which their suffrages upheld. And those interests also remonstrate in the same tone, and say—"It is not merely that you have passed laws which have ruined our fortunes and blasted our hopes that we complain, but because you have passed those laws in a precipitate spirit—because they were not the result of fair discussion, and were not carried by a party who, year after year, had been advocating the successful policy, but rather by the instrumentality of men who supported them in the very teeth of their solemn pledges a thousand times recorded, and suddenly veered round because they wished to keep a certain Government in office." I know that in speaking thus I am correctly interpreting the feelings of the people out of doors. I do not enter into the policy of your changes now, but I do denounce the manner in which those changes have been effected. And what is the case in the present instance? Here is another great interest attacked. The siege has been long. Your conduct has not been less precipitate than in the former instances; though the attack has been of longer duration. We have had two years of protracted legislation against the shipping interests of England. The course you have pursued during those two years forms no exception to the rash policy which has characterised your proceedings with regard to the agricultural and colonial interests. Have your deliberations been graver or more thoughtful? This [*holding up the Bill*] is my answer. Has your measure been drawn up with signal success? The conduct of the right hon. Gentleman the President of the Board of Trade this evening—the humiliating confession he has made—that is my answer to the question. Let me tell you now that this is a course you cannot proceed in. When we find the industry of a country tortured by legislative innovations, and the people which is forced to endure such sufferings compelled also to endure this cruel reflection, that they have not even the compensation of thinking that their destinies have been dealt with by statesmen, but by men who on every occasion have come forward to catch the breeze of the moment, and who have ever been ready to attempt legislation without making themselves masters of the subject they attempt to legislate on—when, I say, you act in this manner, and create such a feeling as this in the minds of a people, I tell you you do more than injure and destroy the material interests of a nation—you lay the foundation of a stock of political discontent, which will do more than diminish the revenues of the kingdom and the fortunes of its subjects—which may shake the institutions of this country to their centre.

MR. GLADSTONE: Sir, I scarcely know whether I am justified in endeavouring to take precedence of the right hon. Gentleman the President of the Board of

Trade, but I promise the House that I shall not long interpose to delay the observations he has to make. After the reference that has been made to me by the hon. Gentleman the Member for Buckinghamshire, it would not, I think, be right on my part to have shrunk from following him in the debate. The hon. Gentleman, as far as I can collect the fact, makes two charges against me. One of them is, that having undertaken that I would in Committee on this Bill explain in detail the reasons that led me to prefer the mode of proceeding by conditional legislation to the direct legislation proposed by the Bill of Her Majesty's Government, I had failed to fulfil that pledge. The other charge is, that in stating the reasons that induced me to refrain from pressing my proposal upon the House, I have given reasons inconsistent with one another. I shall briefly reply to each of those charges. I have not given reasons inconsistent with one another. I did not presume to determine what would be the issue of a division on my proposals. I contemplated one of two alternatives, and I was not willing to incur one or the other of them. One of the alternatives would be that my proposals would have been supported only by those Members who were prepared on their merits to sustain those views; and I did not court that alternative, because my proposals, which hereafter may be of public service, would derive no benefit from a division under such circumstances. The other alternative was, that my proposals would be supported by a number of Gentlemen not accepting them with *bonâ fide* views, but who would employ me as a tool to damage the measure; and after having so employed me, then they would leave me and my proposal on the third reading of the Bill, having caused embarrassment to the proposition of the Government. For these reasons I am unwilling to incur either of the alternatives. The hon. Gentleman has said that I gave a pledge which I have failed to fulfil. On the contrary, I appeal to the recollection of every Gentleman who heard me, and who attended to what I said, as the hon. Gentleman did not, if this was not what I said. I stated most distinctly during the debates of the last Session, and on the second reading of the Bill in the present year, that I would exercise my own discretion as to making any proposal in the Committee; and the reason why I determined to take that course was this—I was not willing, for the sake of vindicating the more argumentative superiority of the suggestion I made, if it could be so vindicated, to run the risk of hazarding great interests. I was not willing to take upon myself the responsibility of rejecting the plan of the Government, though in important particulars I might differ with them, when the effect of that rejection would be the continuance of the present law. I said I concurred, in some instances, in the plan of the Government, and that, in contemplating the repeal of the navigation laws, I thought they contemplated a great national benefit. I said it was an important question how that object should be pursued; but as to the value of the object, I never expressed the slightest difference of opinion from the convictions which the Government entertain. I shall call one witness as to the propriety of the course I have adopted: that witness is the hon. Gentleman the Member for Buckinghamshire himself. If the hon. Gentleman himself had not seen that the course I pursue was favourable to the purpose I have in view, but unfavourable to the purpose he has in view, he would not have made this attack upon me. I am perfectly satisfied to bear his sarcasm, good-humoured and brilliant as it is, while I can appeal to his judgment as to whether the step I have taken was unbecoming in one who conscientiously differs with him on the freedom of trade, and has endeavoured to realise it, because, so far from its being the cause of the distress of the country, it has been, under the mercy of God, the most signal and effectual means of mitigating this distress, and accelerating the dawn of the day of returning prosperity.

Mr. LABOUCHERE: Sir, the hon. Gentleman the Member for Buckinghamshire began his address to the Committee by stating that the proceedings to-night were marked by unusual circumstances. I will engage to say that there has been no circumstance that occurred to-night one-half so novel, so extravagant, nay, so completely unprecedented, as the course which the hon. Gentleman himself has taken. At the close of a long debate in Committee, he rose to state that he thought the time had arrived when the House could no longer with advantage pursue the discussion. He takes advantage of the interval that has occurred to make a speech in which he introduces almost all possible topics, and attacks almost all possible persons, and in which he has referred to the debate before going into

Committee. The only interpretation I can put upon the course of the hon. Gentleman, and which I put with doubt in reference to him, is this—that, finding himself not as ready as usual during the previous discussion before the Speaker left the chair, he employed the interval of a few hours to polish his periods, and to arrange his sarcasms; and therefore it was that he rose after midnight, and delivered a long speech on the principle of the measure, and on free trade generally, while Mr. Bernal was in the chair. The proceeding was certainly an uncommon one, and had all the merit of originality. The right hon. Gentleman the Member for the University of Oxford has very fully and satisfactorily adverted to that portion of the attack of the hon. Gentleman that referred to him. I confess I don't feel that I am labouring under any very great weight in bearing the attack which the hon. Gentleman has directed towards myself, therefore I shall not trespass for many minutes on the House while I advert to it. The hon. Gentleman has taunted me with the alteration which this Bill has undergone since it has been introduced by me. Sir, I quite admit that in one particular of considerable, but not of first-rate, importance — namely, the modification of the coasting trade, which it proposed to throw open, the Bill has been altered; but this I will say to the hon. Gentleman, that if he ever be charged with that official responsibility which, from his great talent and ability, it is not unlikely he may yet be charged with, of introducing and submitting to this House a measure of great gravity and great difficulty, he will not fare very ill if he can bring that measure through the House with no more material alterations in it than this measure which I have proposed has experienced in the course of discussion. I never scarcely knew a measure involving topics of so great difficulty, and on which the prejudices and feelings of the great mass of the community are so enlisted, that received, in its progress through Committee, less alteration than the measure which I had the honour to propose. I can assure the hon. Gentleman that it was not in a spirit of levity that the measure was brought forward by Her Majesty's Government. We well know the difficulties of the task which we had undertaken, but we felt it our bounden duty to face those difficulties, and to do our best to carry this measure to a safe and satisfactory conclusion. In that course we shall persevere, undeterred by any taunts which the hon. Gentleman may think fit to throw out. I will not advert, at this late hour, to the other points which the hon. Gentleman raised; but there is one matter on which I wish to say a single word. The hon. Gentleman said that I had not acted fairly in mentioning the name of Sir Thomas Fremantle. I am sure that I should be sorry to do anything that was not fair towards a gentleman for whom I entertain a feeling of private friendship, and whose talents and qualifications are known to every one. I am willing to admit that the withdrawal of the clause is entirely my own proposition. I did it with the full assent of Sir Thomas Fremantle, and I only told the story in order to explain to the Committee the reason for the withdrawal. Of course, the head of a public department is not responsible for any measure which is introduced by a Minister of the Crown. The Minister who introduces a measure is responsible for its defects; but I believe that Sir Thomas Fremantle, in giving his sanction to the clauses relating to the coasting trade, did so in order to facilitate the views of the Government, though afterwards, upon mature consideration, he came to the conclusion that it would be desirable to withdraw those clauses. If I expressed myself at all obscurely before with reference to the part taken by Sir Thomas Fremantle in this matter, I am obliged to the hon. Gentleman for giving me the opportunity of correcting any misconception that may have arisen.

The House resumed.

The CHAIRMAN reported progress, and obtained leave to sit again on Monday next.

The House adjourned at One o'clock, till Monday next.

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HOUSE OF LORDS,

Monday, March 26, 1849.

MINUTES.] *Took the Oaths.*—The Earl of Clarendon.

PUBLIC BILLS.—1ª Recovery of Wages (Ireland); Protection of Justices (Ireland).

3ª Distraining for Rates.

PETITIONS PRESENTED. From Belfast, for the Adoption of a Measure for the Registration of Births, Deaths, and Marriages (Ireland); also for the Adoption of Sanitary Measures.—From Devonport, for the Immediate and Unconditional Liberation of the Rev. James Shore, M.A., from the Gaol of St. Thomas, Exeter.—From Wexford, Carrickmacross, Kildare, and a Number of other Places, against the Proposed Rate in Aid, and for Alterations in the existing Poor Law (Ireland).—From Bradford, Otley, and other Places, against granting New Licences to Beer Shops.—From the Province of Nova Scotia, for Inquiry into the Case of Mr. Fairbanks.

NOVA SCOTIA—CASE OF MR. FAIRBANKS.

LORD STANLEY presented a petition from Nova Scotia, complaining of the case of Mr. Fairbanks, and praying that a constitution may be granted to that province. He said, that in presenting the petition he should have to trespass on the indulgence of their Lordships while he stated some details with reference to it. His excuse must be, in the first place, the great and serious hardship complained of by the petitioners inflicted on them individually—a subject which, he thought, would alone entitle them to their Lordships' consideration; and, in the next place, that that hardship involved, in his opinion, a decided violation of faith, and indirectly the whole system of administration in our North American colonies, and the relations which ought to exist between them and the mother country. The petitioners represented themselves to be good and loyal subjects of Her Majesty—warmly attached to British institutions, and anxious to maintain, in all its integrity, the relation subsisting between Great Britain and the colony. He believed that the noble Lord opposite would confirm the character the petitioners gave themselves, and that he would admit that, among all the dependencies of the Crown, not one of them was more anxious to maintain inviolable the connexion with this country than Nova Scotia. The petitioners stated that—

> "Amid all the acerbities of party conflicts in this province—through all the animosities engendered by fierce political strife—your petitioners have ever been accustomed to regard the supervision of the British Cabinet, expressed through the Colonial Secretary, as a safeguard against the encroachments of those who should feel disposed to use oppressively the power with which the chances of politics had temporarily invested them. Your petitioners have ever contemplated with satisfaction the idea that between them and any injurious measure was placed the judgment of a British statesman, thoroughly imbued with British sentiment, and far removed from the suspicion of bias or predilection in any advice which he might give to Her Majesty upon colonial affairs. Petitioners have always considered the honour of the Crown as sacred, and the plighted word of a Member of Her Majesty's Cabinet as something too solemn to be doubted."

The petitioners went on to state—

> "Your petitioners, therefore, have read with some alarm the despatches lately received from the right hon. Earl Grey, Her Majesty's Principal Secretary for the Colonies, in which that statesman declares his intention of advising the Queen's Assent to a measure which he has before pronounced pernicious and destructive to the interests of this province; which opinion he states himself, after most mature and repeated consideration, still to entertain; the said measure contemplating a direct violation of the most unequivocal reiterated pledges, given by the predecessor of Earl Grey in the Colonial Office, endorsed by those of his Excellency Lord Falkland, then Lieutenant Governor of this province."

He would now trouble their Lordships with a short detail of the circumstances. At the commencement of the year 1845, the office of treasurer of the province became vacant by the defalcation of the officer by whom it was then held; and upon that occasion Lord Falkland, then the Governor of the province, in writing to him (Lord Stanley), who then had the honour of holding the seals of the Colonial Department, stated that, in filling up the office, it was necessary he should be made aware of his (Lord Stanley's) opinion as to the tenure by which that office should be hereafter held, in order that the person selected to fill it might, at the period of his nomination, understand precisely the position in which he was placed. Lord Falkland then went on to advert to the circumstances under which the appointment was held, and proceeded to say—

> "By my own observation and experience in the administration of the affairs of this province, and by reasons I will hereafter detail, I am irresistibly led to the conclusion that the financial interests of the country are likely to be injuriously affected by individuals engaged in the actual collection and management of the public revenue to so large an amount as both the collector of excise for the Halifax district and the treasurer must necessarily be, holding seats in the Assembly; and this will be the case to a yet greater extent if the term of their keeping their offices shall depend, not only on their having seats in the assembly, but on their belonging to a party having the majority in that body. . . . . . . After deliberately weighing all these circumstances I have it in contemplation, unless such a course should meet your Lordship's disapproval, to give the office of treasurer to some gentleman not belonging to the Assembly, with the understanding that he shall not enter the provincial parliament without the special sanction of Her Majesty; or, should I find it expedient to select any one now in the house, with the understanding that, on his seat being vacated (as according to law it would be by his acceptance of the appointment), he should not again become a candidate for the suffrages of a popular constituency."

Their Lordships would therefore perceive that the proposition to separate the office of treasurer from a seat in either of the branches of the legislature of Nova Scotia proceeded not from his (Lord Stanley's suggestion, but from Lord Falkland, upon his own experience and his own deliberate judgment of the affairs of the province. He had no hesitation in assenting to the general views of Lord Falkland on the subject; and on the 2nd of August he stated (having had occasion to reconsider his Lordship's despatch, and the answer thereto of the 18th June):—

> "I have further to intimate to your Lordship, that although I place the most undoubted reliance on your judgment in the selection of a successor to Mr. Wallace in the office from which it has been necessary to remove him, I am of opinion that the public service would be essentially benefited by nominating to that situation some gentleman totally unconnected with the legislature. It may be possible that circumstances may prevent you from making your selection except from one or other of the two houses of the legislature; but in such case your Lordship will require from the proposed incumbent a pledge that on resigning his seat he should not again enter either house unless with the express sanction of Her Majesty's Government."

Now, before going further, he would take the opportunity of correcting a very popular misapprehension which prevailed in the public mind, that the Colonial Department was one vast depository of patronage, and that there was no department the occupant of which had such extensive means of gratifying his personal and political friends by their appointment to office. It was impossible for anything to be more unfounded. The vast majority of offices in the colonies were filled up from persons locally resident, and upon the recommendation of the local government. The almost single exceptions were the appointment of governor; the appointment, in some few cases, of judicial officers, where the bar of the colony was not sufficiently large to furnish eligible candidates; and sometimes in the case of colonial judgeships. With these few exceptions, as he had before stated, the whole of the patronage of the Colonial Office was exercised in favour of the colonist, through the intervention and on the recommendation of the colonial governors. He thought he could safely say, that during the time he held the office which was now filled by the noble Earl opposite, there were not sent from this country to all the colonies put together one dozen officers annually; and that with regard to the North American colonies generally, there was the single exception of governor; every other appointment, of every description and kind, being confirmed by solemn compact to the colonists, and upon the recommendation of the colonial government. In pursuance of this system it was that Lord Falkland, writing to him (Lord Stanley), desired to know the principle upon which the appointment in question should be made. He (Lord Stanley) concurred in the view which Lord Falkland had taken, and his Lordship entered into communication with a gentleman named Fairbanks, to whom the appointment was offered on these terms:—

> "Should it comport with your views to resign your seat in the Assembly, and with your interest to abandon your professional prospects in Liverpool, to assume the duties and responsibilities of a Government office in Halifax, it will give me very great gratification to nominate you to the post become vacant by the dismissal of Mr. Wallace."

Mr. Fairbanks was desirous of ascertaining whether that communication conveyed the views of Her Majesty's Government. Lord Falkland's reply was—

> "I have to acquaint you that I have received express instructions from Lord Stanley to make the secession from political life of any gentleman whom I may appoint as treasurer an indispensable stipulation to his taking office; and I, therefore, consider that the appointment will be from henceforward, as it has been heretofore, totally independent of political fluctuations, and that although you will hold it by the same tenure as that by which all other colonial offices are held—namely, Her Majesty's pleasure—it is not to be supposed that after the sacrifices you will have made for the purpose of devoting yourself to its duties, any course, short of what would occasion the dismissal of any other individual holding an office not looked on as political, can operate to your removal."

Upon that distinct declaration from the Governor of the colony, Mr. Fairbanks accepted the office; and, on the 15th of November, Lord Falkland wrote a despatch, which he (Lord Stanley) did not receive, having previously quitted office. In that despatch Lord Falkland said—

> "My Lord—I am happy to have it in my power to acquaint you that after having exercised the most careful discrimination in the selection of a successor to the ex-treasurer of Nova Scotia, I have appointed (provisionally) to that office Mr. Samuel P. Fairbanks, at present one of the representatives of Queen's County in the Provincial Parliament, and a practising barrister of reputation at the bar of Nova Scotia, on whom I had lately conferred the office of Queen's counsel.
>
> "In obedience to your Lordship's instructions, contained in your despatch No. 242, dated 2nd August, Mr. Fairbanks relinquishes his seat in Parliament, and as a matter of course quits the legal profession, and I herewith transmit a copy of the correspondence which took place on my offering him the post of treasurer.
>
> "Should Her Majesty think proper to confirm Mr. Fairbanks, I would request that the warrant under the sign manual, requiring that a commission to Mr. Fairbanks, as treasurer, may be issued under the great seal of the province, may be sent as soon as possible; and I shall consider myself peculiarly fortunate in having secured the services of that gentleman to the public, as he is in

every way qualified, both by business habits and a thorough knowledge of accounts, to discharge the duties of the office; and his high character for unimpeachable integrity will insure the confidence of the community."

He (Lord Stanley) was peculiarly glad that that despatch had not been received by him but by his successor, to whom the whole of the correspondence, the opinions of Lord Falkland, and the conditions attached by the acceptor of the office, were submitted for consideration and approval; and it was his successor (Mr. Gladstone) who confirmed the engagement into which he (Lord Stanley) had entered on the part of the Crown, and further confirmation was given by the warrant of appointment sent down with the Queen's sign manual. Their Lordships would agree with him that it was impossible for any one to have a more entire security, so far as words could go, as to the permanence of office to which he had been appointed, and for its exemption from all liability to removal, by reason of political changes and party fluctuations. He (Lord Stanley) would now go back a little to explain the circumstances of the case, and the manner in which they were connected with the system of colonial administration. The government of all the North American colonies was of the same kind—a Governor appointed by the Crown, a Legislative Council also appointed by the Crown, holding their seats for life, and a Legislative Council popularly chosen by the colony, and elected every four years. In addition to this the Governor was assisted by another body, the Executive Council, with whom, previous to 1839, it was understood he was to consult and advise. But the Executive Council had no responsibility whatever, and the Governor was not compelled to act according to their advice. A great change took place in the year 1839—an alteration which was afterwards sanctioned by law in Canada, but which he believed rested upon no law in any of the other provinces—whereby the functions of the Executive Council were materially altered, and so far from being independent of and unconnected with the legislature, they were henceforward to consist mainly of persons holding official situations. A government was introduced which had been variously called a responsible government, and a departmental government, by which the Executive Council became much more a political body than it had previously been, and acquired much more political influence than it had previously held, but which might be more properly called a party government than a responsible government. It was necessary for their Lordships to bear these distinctions in mind. This system was introduced into Canada in 1839; but it was not then introduced into New Brunswick or Nova Scotia. Up to the period at which the despatch was written, there was no such thing as administration by party government in Nova Scotia. The majority of the House of Assembly made frequent overtures to the leaders of the liberal party, for the purpose of carrying on the service efficiently, without reference to the peculiar views of parties. He (Lord Stanley) must do this justice to the liberal party to say that these advances were consistently repudiated by them—that they insisted upon a party government, and declined to take part in a system in which they did not possess the whole executive power. The noble Earl opposite succeeded to the Colonial Department in 1846, and in a despatch dated the 31st March, 1847, he stated fully his views on the subject. The noble Earl then laid down very strongly the doctrine of the responsibility of the government; but at the same time, he introduced into the despatch many qualifications of that doctrine; and he laid great stress on the fact, that in this country all, except a very small number of offices, which are distinguished as political, are held independent of party, and that those appointed to them are not removed except in consequence of very obvious misconduct. He then proceeded to show the expediency of applying the same principle in the colony, and more especially, looking to the small population and limited revenue of Nova Scotia, as well as the general occupation and social state of the community, he said—

"These are, in my opinion, additional reasons for abstaining, so far as regards that province, from going further than can be avoided, without giving up the principle of executive responsibility, in making the tenure of offices in the public service dependent upon the result of party contests. I rely on your using your influence to resist that disposition which a party succeeding to power often exhibits, to throw open the various offices of emolument to their friends, without sufficient regard to the mischiefs thereby permanently entailed on the public service. And it is but due to what I have seen of the conduct of the principal advocates of responsible government in Nova Scotia, to express my reliance on their public spirit and sober estimate of their country's position and interests, as the most effectual safeguard against any abuse of power. There is another safeguard which, even with the less considerate members of any party, you will, I think, find sufficient to protect the public interests against any great disposition unnecessarily to place offices hitherto held on what has practically been a tenure of good behaviour, on one of a more precarious nature. However desirous the people of Nova Scotia may be to establish the principle of responsible government, they would, I feel assured, shrink from effecting any reform, however just or unnecessary, at the cost of injustice to individuals. Now, when individuals have engaged in the public service, under a belief sanctioned by custom, that they obtained a tenure of their offices during good behaviour, it would be most unjust to change that tenure to one of dependence on a parliamentary majority, without ensuring them a provision that would make up for the loss of official income."

Now, although he (Lord Stanley) did not go quite so far as the noble Earl in strength of language, he was ready to admit, that in that despatch he had little to find fault with, believing the qualifications introduced to be judicious, although he thought their application might be mischievous. He would now point out the course pursued in Nova Scotia, under the sanction of the Queen's Government there, and the Secretary of State here, in the application of these sound principles to the responsible government then first introduced into the colony. He believed that a general election took place in the summer of 1847, and that the new legislature met early in January, 1848. The Governor addressed them as usual; but when the address in answer to the speech was proposed (without the smallest charge against the administration or the local government in regard to the administration of the affairs of the province) an amendment was carried by the party in opposition by a majority of 29 to 22, declaring, without any reason assigned or cause given, their want of confidence in the existing local administration, and thereupon that administration tendered the resignation of their offices, which was accepted by the Governor of the province, and a new administration was formed upon the principle laid down by the noble Earl. In the March following, the administration, with the consent of the Governor, introduced a Bill called the Department Bill, the object of which was to alter the character of the office held by the colonial treasurer, and not only to alter the character of the office, but to double the number of officers, and make their appointments political appointments. And without cause assigned or complaint made—on the contrary, with the most unanimous acknowledgment and avowal of the merits and abilities of the officer who was displaced—they displaced Mr. Fairbanks from the situation of treasurer, without giving him the smallest compensation for the loss of his office. The Lieutenant Governor (Sir John Harvey) thought that was a measure which—inasmuch as it carried to the full extent the principles of responsible government—would meet with the sanction of the Secretary for the Colonies, and he said—

"I shall regret very sincerely if any disappointment is experienced by Mr. Fairbanks, who is a very respectable man, and a very correct officer; but I humbly conceive that to impress the colonists with a belief that those important despatches, on which they fondly believe their right to constitutional government is founded, can be frittered away by any governor, or by any party, for no national or provincial object, but to provide for a single individual, would have at the present moment a most injurious effect."

The Governor, therefore, transmitted the Bill with his entire approval, confidently anticipating the approval of the Home Government; but, to his great honour and credit, the noble Earl dissented from that view of the colonial government. He stated, that the establishment of the office might be defective, and might require amendment—he proceeded to comment upon the Act itself for creating two distinct departments, the one that of receiver, and the other that of financial secretary, both being of a political character, and both requiring their holders to be members of the Executive Council or of the Assembly—and then the noble Earl said—

"I entertain a very decided opinion that the two officers in whose hands the present Act leaves the very important duties of controlling the expenditure of the province, should not both hold their places by a political tenure."

The noble Earl, after an analysis of the offices of Chancellor of the Exchequer and Comptroller of the Exchequer in this country—the one being a political office, and the other being dependent on the good conduct of the holder—went on to say—

"Now it is not alleged that there is any reason for removing Mr. Fairbanks on the ground of his unfitness or misconduct; and the sole reason that I can discover for his exclusion from office, would be, that he is not a member of your own government or of the House of Assembly. With reference, therefore, to the general views already communicated to you, I consider this reason to be unsatisfactory, and to be founded upon an erroneous conception of the best course to be adopted to ensure fidelity and efficiency on the part of officers taking any part in the management of public finances."

He then went on to say—

"Under these circumstances, Mr. Fairbanks resigned his seat, and accepted the office. I consider that he has now a strong claim to be maintained in his present position."

This despatch was dated the 23rd of June. The reply of the Governor was dated the

21st of July, and he certainly did not appear to have acted in strict accordance with the views of the noble Earl opposite, because, from first to last he appeared to identify himself altogether with one party, when he ought to have been an impartial mediator; and, without saying anything disrespectful of Sir John Harvey, he (Lord Stanley) could not but consider it a most unfortunate circumstance, and one which placed the Governor of the province in a most unfortunate relation (more particularly under the system of responsible government), to the Ministry whom he had called to office, that at that very moment there was under the consideration of that very government a civil-list act, providing for the payment of all the functionaries of the Crown, and that there was a question pending before the legislature whether the salary of the Governor himself should be 2,500*l.*, 3,000*l.*, or 3,500*l.* a year. He did not mean to say that these circumstances had influenced the conduct of Sir John Harvey; but he must say that the coincidence was unfortunate, and that so situated he could not exercise such authority on the members of the local government as was necessary. It was not necessary, he thought, to trouble their Lordships with the arguments by which the Governor and members of the Council defended their conduct. He believed that on the 15th of November, 1848, with the high sanction of the noble Earl, it was declared that having given the utmost attention to the subject, he found there was nothing to diminish the force of the objection contained in his despatch of the 23rd of June. The noble Earl directed that the whole correspondence should be laid before the colonial legislature, and repeated his conviction that the true interests of the province would not be promoted; that such determination on the part of the Council to persist in these views must necessarily be regarded as a departure from those considerations which in the despatch of the 23rd of March he had endeavoured to establish, and to which principle the members of Council on their first appointment had declared their unreserved adhesion. That opinion the noble Earl stated he had formed on their public spirit and moderation; but from this moderation these members of the Council departed, in not giving to Mr. Fairbanks any compensation on his removal from office. So far he (Lord Stanley) went with the noble Earl; and if he did not concur in every sentence contained in these despatches, he admitted the fair and candid spirit in which he had framed the restrictions on which he had founded his own views. But from that point he unhappily felt compelled to depart from a general acquiescence in the noble Lord's proceedings, because after what he had read to their Lordships in the despatch of 15th March, from the noble Earl himself, he thought their Lordships would be surprised to find that the conclusion at which the noble Earl arrived, was, that as the honour of the Crown had not been pledged, he would not refuse to submit this act to the Queen in Council, if, after full consideration, the provincial legislature should signify their wish that that act should be confirmed; that he should then in such case advise Her Majesty's Government to confirm the act. Now he would beg their Lordships to observe the facts. Mr. Fairbanks had accepted office upon a distinct declaration from the Governor of the province, sanctioned by the authority of Her Majesty's Secretary of State for the Colonies, that he was not to be removed on account of any political change of parties in the colonial government. That was made the *sine qua non* upon which he accepted office, and when he abandoned his seat in Parliament he abandoned his profession, in which he had attained considerable eminence, and he devoted himself with an earnestness and honesty which obtained the general approbation, as well as the approbation of the noble Earl. Nevertheless, a Bill was passed, depriving Mr. Fairbanks of his office, in direct violation of the previous instructions given by the noble Earl himself, and in violation of the condition upon which the responsible government was conceded to that very party by the noble Earl. The noble Earl himself in the first instance objected to the Bill on the ground of principle, and that it would be injurious to the best interests of the province; but, in the next place, he objected to it on the ground that it would inflict a gross injustice on an individual, that individual being entitled to the support and protection of the Government. And yet the noble Earl in this despatch notified that if (not by reference to a new Parliament, but if), upon consideration, the same party who passed the Bill should still persist in adhering to their proceeding, "thinking the faith of the Crown was not pledged," he would comply with the wishes of the legislature of Nova Scotia, and would advise the sanction of the Crown to a measure which he himself had declared would be injurious to the colony, and oppressive to an individual. But talk of the faith of the Crown not being pledged—if the faith of the Government was not sanctioned by the declarations of two Secretaries of State, and by a warrant under the Queen's sign manual, by the advice of those Secretaries of State —if these taken together were not pledges of the faith of the Crown, it was inconceivable to him how the Crown could give an assurance for the due maintenance of any pledge. Therefore, he contended, that under no circumstances was the noble Earl justified in abandoning his own views in deference to the judgment of a party whom he had invested with great political power; but had invested them with that power with his own views, in which they considered that Mr. Fairbanks was not to be removed upon the occasion of a political change of parties. Did the noble Earl sanction instructions to the colonial legislature to reconsider this case, and leave it to the Governor to press it strongly upon the local legislature ? He did not see the Governor taking any such steps. On the contrary, all his language was in accordance with the party referred to. But on the second vote of the session, the legislature in the House of Assembly declared by a majority of 28 to 21—precisely the same majority by which the original Motion was carried—that notwithstanding the views of the Government they adhered to their own views; nor could this occasion any surprise, when it was remembered that the noble Earl had declared that if a majority of the Assembly adhered to the Bill, he would advise the Crown to give its assent to it. But this measure was submitted to the Legislative Council (he did not speak from official documents), and there, as he was informed, an amendment to that resolution was passed by a majority of 9 to 8; but the president of the Legislative Council, contrary to all practice, instead of giving his vote to the majority, gave it to the minority, and thereby it became a tie, and the amendment was determined in the negative, passing as a resolution of the Legislative Council, and thus complying with the address, to which the noble Earl had declared his intention to assent in the event of such resolution being insisted upon. These, then, were the circumstances of the case; and with regard to that of the individual referred to in the petition he had presented, he thought he had made out a case, and he could only say that he was sorry to have had to refer to so many details. He thought that Mr. Fairbanks had been harshly treated, and that he had not received from the noble Earl opposite that efficient protection which, in the fulfilment of the pledge of the Crown, he had a right to calculate would have secured him against that injury under which he was now suffering. He was also of opinion with the petitioners, who stated that independent of the injurious results to the individual which must accrue from the disregard of the pledges of Her Majesty's Government, guaranteed by the Colonial Office, the petitioners viewed with apprehension the policy of the Colonial Secretary in yielding his own opinion and judgment to a party in the majority of the colonial legislature. He (Lord Stanley) was also of opinion, that in a colony—and the smaller the colony the greater the difficulty in the application—not, as he had said before, of a responsible government, but that of a party—that party being made responsible for the acts of each other. That was a system which, if it were wise in this country, must be dangerous to the circumstances of a colonial dependency. He must remind their Lordships, that the principle of a Cabinet was comparatively a new principle in the constitution of this country. The Government, comparatively for a recent period, had been carried on by responsible heads of departments, without requiring that unity of action which was supposed to be necessary. Even in this country it was not easy to find a Cabinet so entirely united ; and the difficulty had been usually found in the formation of a Cabinet embodying the Government in itself, and not possessing the confidence of the country; while, nevertheless, it had been able to maintain its position because of the great difficulty of getting a united Cabinet by any other combination. Then, if this difficulty was found in this country, how much greater must it be in a colony, where the number of qualified persons was comparatively small—where there was not only wanting a large number of properly-qualified persons, but where there were only a few such persons in such easy circumstances as to be enabled to devote their services to the State without making their political life a mere means of obtaining emoluments and political power. Even in this country, without the existence of that illustrious assembly which he had then the honour of addressing, with all their attachment to the institutions of the country, the business of the country could not be carried on by the other branch. The establishment of a republican form of government would be the absence of that assembly. Nova Scotia contained a population of about 250,000 souls. Fifty-one of the Legislative Council were appointed for life. But if the principle of responsible and party government were to be maintained, the Legislative Council then became the mere tool, agent, and echo of the House of Assembly, and there would cease to be any check on the proceedings of that body. The Governor was bound to act by the advice of the Executive Council, inasmuch as through the Governor and the Executive Council, the Legislative Council were to be appointed. Now, there was no efficient check on the Legislative Council, as the Legislative Council had no check upon the other bodies. The Governor equally had no check, because if he were bound to act by the advice of the Legislative Council, the Governor was as inefficient as the Legislative Council itself. What, then, was the remaining check? It was a check interposed by the Crown, through the responsible Minister of the Crown, who was bound to give protection to the minority of British subjects in the colony, and to prevent the successful and arbitrary tyranny of a small majority. If the colonists had not that protection to look to, it would be better to abstain from lending the name of the Crown to transactions which the Government might be called upon to repudiate. It would be better to declare at once the independence of the colonies, and to leave them to act on unmitigated republican principles. These were not his own views, but those of the petitioners themselves. In spite of the remonstrance of the noble Earl, the Legislature had passed a Bill for the dismissal, without compensation, of Mr. Fairbanks; and, notwithstanding the declaration contained in his despatch, in which he said that of course no removal from the judicial bench was to take place, except upon motives of necessity—the provincial legislature, acting on the advice of the Executive Council, had already dismissed, without cause assigned, 100 justices of the peace. The petitioners said—

> "Your petitioners will state to your honourable House, that one of the leading maxims of responsible government advocated by the present majority is, that the Lieutenant Governor must act upon the advice of the Cabinet; consequently his opinion is but a mere confirmation of that of the parliamentary majority, and can be no check against party oppression. His Excellency once stated in a public address, that 'as Her Majesty's representative, he would be no party to depriving any of Her Majesty's servants of the offices they hold;' notwithstanding which declaration, his Excellency has sanctioned the dismissal of about 100 magistrates, besides other irreproachable officers, without cause assigned."

These petitioners, then, had no resource but in appeal to the Imperial Parliament, seeing that his Excellency had declared that he would be no party to depriving parties of their offices which they then held, but had nevertheless been a party to the removal of one hundred justices of the peace. There was one expression which he wished had not been used by the petitioners. He referred to the sentence in which they hinted a doubt as to whether the withdrawal and absolute surrender of all the functions of government into the hands of a temporary majority might not have the ultimate effect of severing the tie which bound the colony to this country, and might not ultimately lead the colonists to try whether a greater degree of practical liberty could not be enjoyed under the practically conservative institutions of a great neighbouring State. He did not appear before their Lordships as the advocate of any party. He entreated their Lordships to take into consideration all the circumstances—to look at what constituted the true bond between the colonies and the mother country, and he was satisfied that the objects of the colonists would be gained by his bringing the question before Parliament, and by showing that all that the colonists wanted was to have the privileges enjoyed by their other fellow-subjects, and that they should be protected from the proceedings of a despotic government. He did not undervalue the almost unsurmountable difficulties of defining and settling what was responsible government. But unless some stand were made—some distinct position occupied—by the Secretary of State, the authority of the Crown would gradually become null, and that, too, not alone in Nova Scotia; for it was painful to look, in the state of the neighbouring colony, to the consequences of the doctrine which held that the Governor in the colonies and the Crown at home, were irresponsible—that they could only act by the advice of Legislative Councils possessing parliamentary majorities — and that, however distasteful, however revolting, a measure might be to the feelings of the colonists, Parliament was to be powerless, and the Secretary of State dumb; while the majority of the Provincial Parliament was to be all potent, and the power of the Crown was to be given to the enactment of a law which—as in a case of which their Lordships could not be ignorant—stamped previous rebellion with the character of legality, and stigmatised the loyal inhabitants of a province for their successful and devoted resistance to that rebellion. He had already trespassed too long upon their Lordships; but he could not refrain from quoting the opinion of a man more entitled than almost any other to be looked upon as a great authority in matters of colonial government—of a man whose experience had been great, and whose wise and great and liberal policy would be long remembered in Jamaica and Canada. On this question of responsible government, Lord Metcalfe wrote as follows :—

> "With reference to your views of responsible government, I cannot tell you how far I concur in them without knowing your meaning, which is not distinctly stated. If you mean that the Governor is to have no exercise of his own judgment in the administration of the government, and is to be a mere tool in the hands of the Council, then I totally disagree with you. That is a condition to which I can never submit, and which Her Majesty's Government, in my opinion, never can sanction. If you mean that every word and deed of the Governor is to be previously submitted for the advice of the Council, then you propose what, besides being unnecessary and useless, is utterly impossible, consistently with the due despatch of business. If you mean that the patronage of the Crown is to be surrendered for exclusive party purposes to the Council, instead of being distributed to reward merit, to meet just claims, and to promote the efficiency of the public service, then we are again at issue. Such a surrender of the prerogative of the Crown is, in my opinion, incompatible with the existence of a British colony. If you mean that the Governor is an irresponsible officer, who can, without responsibility, adopt the advice of the Council, then you are, I conceive entirely in error. The undisputed functions of the Governor are such, that he is not only one of the hardest worked servants of the colony, but has also more responsibilities than any other officer in it. He is responsible to the Crown and Parliament, and the people of the mother country, for every act that he performs, or suffers to be done, whether it originates with himself, or is adopted on the advice of others. He could not divest himself of that responsibility by pleading the advice of the Council. He is also virtually responsible to the people of this colony, and practically more so than even to the mother country; every day proves it, and no resolutions can make it otherwise. But if, instead of meaning any of the above-stated impossibilities, you mean that the government should be administered according to the well-understood wishes and interests of the people; that the resolutions of September, 1841, should be faithfully adhered to; that it should be competent to the Council to offer advice on all occasions, whether as to patronage or otherwise; and that the Governor shall receive it with the attention due to his constitutional advisers; and consult with them on all cases of adequate importance; that there should be a cordial co-operation and sympathy between him and them; that the Council should be responsible to the Provincial Parliament and people; and that when the acts of the Governor are such as they do not choose to be responsible for, they should be at liberty to resign; then I entirely agree with you, and see no impracticability in carrying on responsible government in a colony on that footing, provided that the respective parties engaged in the undertaking be guided by moderation, honest purpose, common sense, and equitable minds, devoid of party spirit."

He hoped their Lordships would forgive him for reading the language and the opinions laid down by Lord Metcalfe; but he would venture to ask, if those opinions had been acted upon by the legislature of Nova Scotia, whether Mr. Fairbanks would have been dismissed without compensation, and whether it would not have been impossible to dismiss a hundred magistrates not connected with politics, merely that their places might be filled up with violent partisans of a faction? He would ask, if such an attack had been made with Lord Metcalfe's system in operation, whether that would not have been the fitting time for the interference of the Governor? and if such interference had failed, whether it would not then have been time for the Secretary of State to step in, telling the colonists that while he wished to protect the liberties and recognise the constitutional rights of the Assembly, still that he was responsible to Parliament, to his country, and his own conscience, for the due protection of every subject of Her Majesty, and for the adequate defence of the honour of the Crown and the rights of the subject, protecting one and the other from being overthrown by the temporary power of a small dominant majority?

Earl GREY: The subject to which the noble Lord has called the attention of the House is one of such importance, that I regret that the duty of reply has not fallen to abler hands than mine. But however unable I may be to do justice to the general subject, I do feel that, in this particular case, I stand on so strong a foundation of truth and reason, that I am not afraid of encountering the arguments of the noble Lord. I think it will be for the convenience of your Lordships that, in answering the noble Lord, I should take the topics to which he has adverted in a contrary order to that in which he arranged them; and, instead of dealing with the case of Mr. Fairbanks first, and applying to that case any general rule, that I should try, in the first instance, to explain my views on the system of colonial administration, and, having done so, that I should point out their application to the case before us. The noble Lord, in the eloquent conclusion of his speech, succeeded in pointing out that there is a very great difficulty in reconciling the exercise of control by the Crown here, with the preservation intact by the colonies of those privileges of self-government which the colonists value no less highly than we in this country prize those similar rights which we enjoy. No doubt there is a difficulty in this; but I would direct the attention of your Lordships to the excellent observations upon this very point of my noble Friend Lord J. Russell, in a despatch written by him at the time when he held the office which I have now the honour to hold. This was the noble Lord's advice on the very question:—

> "It may be said that I have not drawn any specific line beyond which the power of the Governor, on the one hand, and the privileges of the Assembly on the other, ought not to extend. But this must be the case in any mixed government. Every political constitution in which different bodies share the supreme power, is only enabled to exist by the forbearance of those among whom this power is distributed. In this respect the example of England may well be imitated. The Sovereign using the prerogative of the Crown to the utmost extent, and the House of Commons exerting its power of the purse to carry all its resolutions into immediate effect, would produce confusion in the country in less than a twelvemonth. So in a colony; the Governor thwarting every legitimate proposition of the Assembly, and the Assembly continually recurring to its power of refusing supplies, can but disturb all political relations, embarrass trade, and retard the prosperity of the people. Each must exercise a wise moderation. The Governor must only oppose the wishes of the Assembly where the honour of the Crown or the interests of the empire are deeply concerned; and the Assembly must be ready to modify some of its measures, for the sake of harmony and from a reverent attachment to the authority of Great Britain."

The same would be equally true if the case occurred in this country. If the Crown were to exert to the very utmost that power which, by our constitution, is vested in it, that of refusing assent to laws passed by both Houses of the Legislature—if the House of Commons were to push to extremities its right of refusing the supplies—if this House were to put into operation its equally undoubted right of rejecting every measure of which it disapproved—if all these powers were to be strained to the utmost, why, my Lords, it is clear that our balanced system of constitution would, in such a case, in the course of a month, be brought to a stand-still, and the whole complicated system of our constitution would be thrown into helpless disorder. But, my Lords, the remedy for this possible evil, to use the words of my noble Friend, is in the wise moderation with which the acknowledged constitutional powers of these several authorities are exercised. Each, in its turn, gives way; each in its turn submits to the other; and thus, by forbearance, by good sense, and the habit of adapting our conduct to circumstances, notwithstanding those theoretical difficulties by which it could be theoretically proved that our constitution will not and cannot work—notwithstanding those difficulties, that constitution has long flourished, to the great advantage of all who have the happiness of living within its influence. And so, my Lords, in the colonies—if the Governor will assent to no laws save those which, in his judgment, are sound and irreprehensible—if, on the other hand, the Assembly insist on always having its views carried out—if the Secretary of State for the Colonies is to consider merely what he thinks the best measures to be adopted, paying no attention to what the colonial public desire, or to what the colonial public require—if such is to be the conduct of the respective parties, then, undoubtedly, my Lords, such a system of government cannot work. But if, acting upon a different principle, the power of the Crown be used, not resolutely to resist and oppose, but judiciously to check and guide the public opinion of the colonies into proper channels, to lead and not to drive it—then I do say that the system may work with immense advantage to the interests of all parties—to the interests of the colony and of this country—may work smoothly and well. But all depends upon the discretion with which the powers entrusted to each are exercised. I scruple not to say, that our North American colonies have arrived at such a stage in their growth, that public opinion in those colonies themselves will, and must be, the supreme power to decide upon laws affecting their own internal interests. I believe it to be neither practicable nor desirable that any other rule should hold. I know no interest which this country can have in trying to force on the colonies any particular system of local and internal legislation. But, on the other hand, I am persuaded that if the powers of the Crown be judiciously used in this country—if the limits of that power were distinctly laid down and recognised—if, clearly discerning how far we may go, and how far we may not go, those powers be exercised wisely and moderately—then I am convinced that they may be exercised with the greatest advantage to the interests of the colonies themselves. These opinions, my Lords, will be found in despatches of mine moved for in the other House of Parliament. In those despatches I have endeavoured, as clearly as I could, to state my views to the Governors of these North American colonies. I have informed them that they are not to consider themselves freed from responsibility; that, on the contrary, a great and heavy responsibility is laid upon them—that they are responsible for measures to which they assent. But, on the other hand, I have always stated, that, under the form of government which prevails in these colonies, we cannot shrink from the conclusion that in the end public opinion must decide upon all points on which the parties may be at issue. A few passages from one of the despatches to which I have adverted I may read. To Sir John Harvey I wrote as follows:—

> "Of whatsoever party your Council may be composed, it will be your duty to act strictly upon the principle you have yourself laid down in the memorandum delivered to the gentlemen with whom you have communicated, that, namely, 'of not identifying yourself with any one party,' but instead of this, 'making yourself both a mediator and a moderator between the influential of all parties.' In giving, therefore, all fair and proper support to your Council for the time being, you will carefully avoid any acts which can possibly be supposed to imply the slightest personal objection to their opponents, and also refuse to assent to any measures which may be proposed to you by your Council which may appear to you to involve an improper exercise of the authority of the Crown for party rather than for public objects. In exercising, however, this power of refusing to sanction measures which may be submitted to you by your Council, you must recollect that this power of opposing a check upon extreme measures proposed by the party for the time in the government, depends entirely for its efficacy upon its being used sparingly, and with the greatest possible discretion. A refusal to accept advice tendered to you by your Council, is a legitimate ground for its members to tender to you their resignation—a course they would doubtless adopt should they feel that the subject on which a difference has arisen between you and themselves, was one upon which public opinion would be in their favour. Should it prove to be so, concession to their views must, sooner or later, become inevitable, since it cannot be too distinctly acknowledged that it is neither possible nor desirable to carry on the government of any of the British provinces in North America in opposition to the opinion of the inhabitants."

My Lords, these are the views of colonial government which, since I have had the honour of a seat in either House of Parliament, I have ever advocated. They are views on which, if Parliament be not prepared to act, I believe the administration of our North American colonies cannot be carried on at all—they are the views which, with the full concurrence and support of my Colleagues, I have endeavoured to apply as impartially and fairly as I could to the administration of the important department over which I have the honour to preside. And, my Lords, I must take the liberty of saying, that whatever mistakes I may have committed in doing so—and I am not so presumptous as to suppose that, in difficulties like these, mistakes may not have been committed—still, I repeat, that, whatever mistakes may have been committed, the present condition of our North American colonies is the best proof that these principles are, in the main, sound and just. Let me, for instance, refer to the condition of Nova Scotia. The noble Lord has said that the principles which I have professed, I have abandoned and thrown away.

LORD STANLEY: No; I said that, according to the system practically entered upon, the power of the Crown appeared to be done away with.

EARL GREY: I am happy to have been corrected in this respect by the noble Lord; but certainly I am right in stating that in the latter part of his speech the noble Lord strongly insisted upon the duty and the necessity of the Government at home remaining firmly in opposition to the strongest feelings and the strongest opinions of the colonists and the colonial legislature, in their view of certain questions. That position the noble Lord stated so broadly, that it did appear to me that he rather lost sight of the principle of self-government; for to tell the colonists that they are to govern themselves, and that their Assemblies are to decide upon questions of internal and local importance, and then, when a difference of opinion arises between the Secretary of State and the provincial legislature to say that upon a question of purely local—purely internal importance, that the Assembly, and not the Secretary of State, is to give way; to say this—to lay this down as the rule to be followed, would indeed be to decide that the representative government of the colonies is representative government only in name. But while I do not shrink from acknowledging that in the end, a well-considered, just, and temperate public opinion must govern in Nova Scotia as it does in England—that our fellow-subjects in North America participate in our own feelings, and would tolerate in the long-run no other system of government—though all this be the case, still I am bound to assert the power and influence of the Crown are by no means to be ineffective or unimportant. For fifteen years the subject of the civil list in Nova Scotia has furnished matter for continued controversy between the Crown and the colonial legislature. The noble Lord opposite, during the five years in which he held office as Colonial Secretary, laboured with great talent, but without corresponding success, to bring the matter to a satisfactory conclusion. He insisted, and properly so, on the salaries of the existing judges and other civil officers being maintained, and on certain other points which he considered essential. The noble Lord was unable to bring these difficult questions to a settlement. Now, since I have had the honour of holding office, the question of the judges' salaries has been again revived. The measure on this subject originally sent home by the legislature of Nova Scotia appeared liable to such great objections, that I declined to submit it to the confirmation of Her Majesty. I stated in a despatch my objections to the measure, and referred it back for the consideration of the Governor and Colonial Council. Now, by the last mail, I have received a despatch from Sir John Harvey—a despatch which I now hold in my hand, and which I am ready to lay on the table of the House. In that despatch I am informed that an amended statute has been framed in accordance with my instructions; the arrears of the judges' salaries being paid up, and their full salaries continued; while by the same enactment the amount of the salary of the present, as well as that of future lieutenant governors, is finally settled. Now, when your Lordships consider the strong feeling on the point which existed in the province—when you consider the great objections to recognising the claims of the existing judges to their salaries—you will not fail to appreciate the manner in which the existing legislature has been brought to see the propriety of settling the question upon the terms which I have mentioned. Again, since the date of the despatches which in 1839 were addressed by my noble Friend now at the head of the Government to the then Governor General of Canada—since that date there has been a strong desire manifested in many of the provinces to carry the principle of changing the holders of office, upon the change of an administration, further than appeared prudent or necessary. Now, the noble Lord opposite quoted a passage from a despatch of mine to Sir John Harvey, pointing out the importance, with a view to the interests of the colonists themselves, of not carrying this principle out too far—of confining the removability, in consequence of political changes, of those who hold office, within narrow limits. Now that principle was frankly adopted by the existing Council and Legislative Assembly of Nova Scotia. Even if that Act, against which the prayer of the petitioners is directed, should receive the confirmation of Her Majesty, which it has not received; but even if it should, the whole number of office-holders, who will change with a change of administration, is only six. Now, considering that it is necessary that certain functionaries should be changeable, for the purpose of substituting persons who enjoy the confidence of the Assembly and the constituency, I am bound to say, that I do not think six an extravagant number in such a colony as Nova Scotia. Again, I strongly urged on the Assembly, that in adopting the system which they so much favour, they should abstain from inflicting injustice on individuals, and that compensation should be awarded to all officers appointed without due notice as to the terms on which they held office. Here, again, the Assembly and the Executive Council have met my views, with the single exception of the case of Mr. Fairbanks, which is stated not to come within the general rule—with the exception of that case, no one individual has been removed from office without receiving some compensation. There may be questions as to the amount, but the principle has been granted. Now, my Lords, when you remember how strong public feeling is over the whole of the American continent, not only in our own colonies, but in the adjoining republic, to the grant of pensions—when you remember the strength, the intensity of this feeling, you will admit that this is no smal concession made to the views of the adviser of the Crown. Again, it is now found that the affairs of that colony are administered by persons enjoying the entire confidence of the Legislative Assembly, and an end may therefore be anticipated from henceforward to those quarrels and disputes between the Executive and the popular power, which has so frequently occurred in former periods. No doubt it is to be lamented that there are points connected with the affairs of the colony with respect to which a less satisfactory account can be given. The noble Lord has alluded to the great change which has taken place in the magistracy of Nova Scotia. I regret that that subject has been adverted to, and for this reason, that a correspondence on the subject is still going on—a correspondence which is still in a state which renders it impossible for me to lay it on your Lordships' table, but without a knowledge of which it is absolutely impossible that a sound opinion can be formed on the merits of the case. It is also impossible for me in my situation to express here in public an opinion on the conduct of the Government of Nova Scotia, without running the risk of exciting and stimulating that violent party spirit which is so deeply to be deprecated, and which it is my great study to soften down and moderate. Thus, then, I cannot enter into the question at this moment; but I can assure your Lordships that it is altogether unsafe to form an opinion on the matter. The individuals dismissed are upaid officers, and the reasons that have been assigned by the Assembly for the course which has been pursued, are reasons which are entitled to very respectful consideration. But at the same time let me say, that even were I prepared to grant—and which I am not at this moment—that in this instance the powers of the Executive have been stretched beyond the precise line which discretion and judgment prescribed—even if I were prepared to make that admission —still I say I am not aware that any great political party in this country would be able to say that it has at all times, when in possession of power, and in the heat of party contest, exercised the authority temporarily committed to its care within the exact line of moderation and prudence. No great party in this country could with truth make such an assertion as to their own conduct. If such be the case in this country, then ought we not to make some allowance for what may take place in the colonies, where, in such smaller community, political contests are apt to be carried on with much greater acrimony and eagerness? From all the information which I have received, I will not pledge myself to the fact that an error has not been committed; but it is something new, and as dangerous as it is new, that this House should be called upon to review the party contests of our North American colonies. I think that to fight these battles over again, upon this stage, will be attended with consequences most serious and most dangerous. It has hitherto been the practice for measures passed in our colonies to be occasionally the subject of Parliamentary discussion. It has happened, that when a difference has arisen between the Crown and the representative assembly of one of the colonies, that the case of the latter has been brought before Parliament, and argued with much effect as against the Government of the day. I think that, with regard to the uurepresented colonies, Parliament, as a rule, and as a check against abuse, is not only justified, but is absolutely bound, to keep an eye upon the conduct of officers of the Crown, and upon disputes between those officers and the colonists, and to see that in those differences the blame does not rest with the advisers of the Crown. In the same way, with regard to the represented colonies, it is the duty of Parliament to inquire into the causes of differences between the local legislature of the colony at large and the representatives of the Crown, and to see that the blame does not rest upon those officers, or upon the advisers of the Crown. But the case is very different when a complaint proceeds, not from the colony at large, not from the representative legislature, not from a majority, but from a small minority in the colony, who complain that they have not received that protection from the Crown which they ought to have against the representatives of the people. If your Lordships are to be called upon to pass an opinion in this manner upon the proceedings of majorities of the representative Assemblies of the colonies, at the instance of those against whom they have decided, it appears to me a course no less novel than inexpedient. Hitherto, every Administration in this country has endeavoured to give effect to the power which the Crown is entitled to exercise over the colonies, and to act towards the various political parties in them with the strictest impartiality and justice. They have endeavoured to show no leaning towards the one party or the other, but to use, as fairly as possible, the power of the Crown, and so to exercise it as not to aggravate, but to moderate, the rancour of these political contests. But if, when the responsible advisers of the Crown have not thought fit to interfere, to endeavour to control and overrule the decisions of the representative bodies of the colonies —if, in such cases, are they to be called upon to defend their conduct, and assign reasons here for their not choosing to exercise the authority of the Crown? It is hardly possible, if they do so, that they can avoid being drawn in as partisans into the quarrels of the colonies. Where free institutions prevail, all experience proves that party contests will take place. We know from the earliest history that such is the case. But if, in those party contests, the divisions that take place in the colonies are to be repeated here, and the present parties in this country are to adopt one side or the other in the colonial contests, you must consider what will be the unavoidable result. Suppose a change of Administration were to take place in this country, and no corresponding change were to occur in the colonies; suppose the noble Lord opposite, after bringing forward the case of one party of the colonists, and making it the cause of a political party in this House, thereby establishing for himself the character of being the organ of that party, were he to succeed to the office which is now confided to my hands—is it possible to conceive that, in the exercise of the powers so entrusted to him, some suspicion should not be entertained of his favouring those whose cause he had advocated? On the other hand, if I have endeavoured, by my answer to the arguments of the noble Lord, to state fully the reason why I thought the minority might be in the wrong, or, at all events, that it is not expedient to overrule the majority—if I am compelled to do so, is it possible that I shall not be, more or less, mixed up in the party views of those whose conduct I am obliged, in some manner to defend? And, therefore, I say it is a wholesome rule, and one which I am sorry to see now infringed, that those cases of colonial political contest should not be fought over again in the British Parliament. I have been led much further, my Lords, than I intended into this branch of the noble Lord's question. To return to my line of argument—I was defending the colonial policy, and alleging the proofs afforded by the present state of the colonies of the success which has attended the general rules for their administration, which I have attempted to lay down. Now, with respect to what the noble Lord has alleged regarding Nova Scotia and Canada, I regretted to hear him put forward the statement that a measure now in progress through the legislature of Canada, was one by which rebellion would be legalised and rewarded. If the noble Lord have, as he says he has, consulted the documents in this country which have led him to form such a conclusion, he ought to know that those by whom this measure has been promoted, entirely repudiate such a charge. [Lord STANLEY: I know the contrary from the official documents.] I can only say, then, that documents must have reached the noble Lord which I have not seen. I have seen the resolutions moved in the Assembly, and the amendments to the resolutions, and the resolutions are not yet decided upon.

LORD STANLEY: I am not in receipt of any later intelligence than the noble Earl; but I have seen the resolutions, the amendments proposed to them, and negatived, and the votes given by the Members of Government and of the Legislative Council. Amongst these amendments, the noble Earl does not seem to know that two were moved, the first declaring that all those who had actually aided in the rebellion should be excluded from all participation in the benefits of the Bill; and the other, that all those who had not aided in putting down the rebellion should be likewise excluded; and that both those resolutions were negatived by majorities of two to one, all the Members of the Government voting in the majority.

EARL GREY: That statement of the noble Lord I cannot help believing to be erroneous. However, with regard to the votes of the Assembly, it has not, unfortunately, been the custom to forward them to the Colonial Office until the end of the session. I have endeavoured to put a stop to the system, and to have the votes forwarded immediately upon the conclusion of each question. But I have seen the reports in the newspapers, and by the latest newspapers it does not appear, so far as I can discover, that the matter is as the noble Lord says. Many resolutions have been passed, and many amendments have been considered; but it does not appear, so far as I can see, that all the resolutions have as yet been discussed, or that the Bill founded upon those resolutions has been brought in. But most undoubtedly the Bill, which must be founded upon those resolutions, has not been as yet considered in Committee, and does not consequently now stand in the shape which it will probably finally take. And again I say, that the noble Lord, in coming here before the Bill has been discussed by its authors, and raising a discussion upon it, has, in my opinion, adopted a course of proceeding doubly dangerous to the country. I say, the authors of the Bill entirely disclaim the intention of rewarding treason or indemnifying rebellion. What they say is this—that, with regard to Upper Canada, against their strong remonstrances a Bill was passed by the legislature of the colony, for compensating those who had incurred losses during the rebellion. They say that the Bill was expressly altered, in order that the classes of those entitled to compensation might include persons whose property had been destroyed by volunteers, under the belief that they were abettors of the rebellion. I believe it was whilst the noble Lord himself held office that the Bill was passed with the clause expressly to extend the compensation so granted; and that the compensation was obtained by persons whose property was destroyed by volunteers under the suspicion that they were abettors of the rebellion. The promoters of the present measure say that they strongly opposed that Bill; that the measure was a wrong one; but that if it were adopted for Upper Canada, in common justice it would be necessary to apply the same rule to Lower Canada. They say that their predecessors in office, and those by whom the measure was got up, issued a commission to inquire into the losses sustained; then when they were applied to by the Commissioners to know who were to be excluded from the benefit of the compensation, on the ground of having been participators in, or abettors of, the rebellion, the answer given was, that the decisions of the legal tribunals at the time were the only test to which they could look to determine who were rebels and who were not. They say further—and I must say I do not think it is unreasonable—that, in good policy it is advisable that this compensation should be granted to all who were not proved at the time to have been participators in the rebellion. At that time the French Canadians were extensively aiding the British Crown. I will not go into the history of the time, or say who was right or who was wrong. I think the veil of oblivion should be thrown over the transaction. But when the French Canadians are, as they now are, loyal to the British Crown, I think their loyalty should not be cooled or put down, nor that there should be, as they themselves say, a Star Chamber inquiry now made into who have been participators in or abettors of the rebellion. This is the ground that they have taken. It may be right or it may be wrong. I reserve my opinion until the Bill in its final shape shall come before me for decision. But this I will say, that, looking at the speeches which have been made, and at the resolutions which have been passed, there is nothing unreasonable—nothing monstrous in these propositions. With regard to Lord Elgin, who now holds the government of Canada, and whom, before he was appointed to the government, I had never seen, and had no acquaintance with whatsoever—a nobleman whom I knew only by the reputation he had acquired for the able manner in which he had conducted the administration of affairs in Jamaica, and whom, for that reason only, I recommended to be appointed to the government of Canada—he not being even of the same political opinions, for he was the seconder of the Address in the other House, which put an end to the Administration of Lord Melbourne; as to that nobleman, it was only from the knowledge of the ability he had already displayed, that I recommended the Queen to appoint him to the government of Canada; with regard to that noble Lord I do say, that in administering the government of Canada he has acted with such uniform discretion, with such prudence, combined with ability and moderation, that, although he has refrained from reporting anything officially upon this subject—most probably, as I think, until what he considers the proper time—I have such unlimited confidence in him, that I have no doubt he has good reason for following the course he has adopted. I said, my Lords, that the state of things in Canada was a justification of those principles of policy which I endeavoured to enforce. I shall now read to you a short extract from a private letter which I received from Lord Elgin some time ago. After stating the various dangers and difficulties which he expected to encounter in Canada — the extreme danger which might have arisen when the news of the French revolution arrived there—the danger which would have resulted if, during the events in Ireland last year the numerous Irish sympathisers, as they were called in the United States, had been able to calculate upon any extensive support from the Irish inhabitants of Canada: after pointing out all those dangers, he goes on to describe the tranquil state of the colony. He says—

> "Now, observe the contrast. We have had, it is true, our French Republican sympathy, soaring occasionally into the cloudy region of a sort of mystical sentimental treason; but this has only served to mark out Papineau and his adherents as a faction disconnected from the body of the French Canadians, who say, 'we are satisfied with things as they are; we do not intend to rebel; and if Yankees come across the border to revolutionise us in spite of ourselves, we will give them as good as they bring.' We have had, too, Irish excitement; but it has only given the body of the respectable repealers an opportunity of protesting against the introduction of Irish politics into Canada."

But, my Lords, this is not all. Nobody can forget the immense power and influence of Mr. Papineau formerly in Canada. Well, Mr. Papineau, on the day when the session of the Provincial Parliament was opened, proposed various amendments to the address; and on that and the three following days he made several speeches, not one of which was much less than three hours in duration. Yet, after all, when the division took place upon the amendments—which certainly implied in their language anything but a spirit of attachment and loyalty to the British Crown—they were rejected by overwhelming majorities, Mr. Papineau being able to induce only three members to support his views. Now, when you consider that that gentleman, a very short time ago, would, if he had proposed amendments of the same character, undoubtedly have commanded a majority of the Assembly, and that the body which rejected these amendments were elected both in Upper and Lower Canada upon the widest franchise, what I have just stated is a most satisfactory proof of the present state of the colony. I took occassion to mention last year that whilst the Canadians exercised the power entrusted to their hands of determining upon measures affecting their own local interests, yet that upon all those matters in which the interests of the empire were involved, they had shown the greatest readiness in listening to the advice given by the Governor General. Only by the last mail I received a proof of that. In the postscript to a private letter which I have received from Lord Elgin, he informs me that the Assembly had just determined upon reducing the tax upon immigrants, to which he knew great importance was attached by the Home Government. And although considerable doubt was entertained as to the safety of the policy in making the reduction, yet, in deference to the advice of the Governor, the Assembly had resolved to reduce the tax. I am afraid I have detained your Lordships too long already by these statements of the general principles upon which the government of the North American colonies has been conducted. I will now come to the particular case of Mr. Fairbanks. I will at once freely and frankly acknowledge that I think that gentleman has been somewhat hardly used; but, at the same time, I have to point out the peculiar circumstances connected with his case. And, in the first place, I must say that Mr. Fairbanks, up to the time of his being appointed treasurer, took a very active part in the politics of Nova Scotia, in opposition to those who are now in possession of power, and was a person not a little obnoxious to those who have now succeeded to the administration of the affairs of the colony. The noble Lord says that Mr. Fairbanks had the assurance of the Crown that his office was not to be considered moveable. So far as the Crown had the power, he certainly had a right to think the office should not be considered moveable. My Lords, I think so far as depended upon the Crown his removal would have been hard, except in so far as questions of misconduct might be concerned; but there was a very important point of consideration in the matter, which the noble Lord omitted to mention. Mr. Fairbanks was appointed to a place which, so far as the Crown was concerned, should be considered permanent. But in Lord Falkland's despatch—part of which the noble Lord has read, there occurs this passage:—

> "The treasurer's salary is annually voted by the Legislative Assembly; and although no reduction has been made in its amount for several years, yet, from time to time, propositions to diminish it have been mooted in the House, and this very necessary officer has hitherto been dependent on the popular branch for his official income."

It was clearly, therefore, only in the power of the Crown to appoint the officer, subject to the decision of the Assembly if any part of his salary should be stopped. And Mr. Fairbanks, knowing that attempts had been made to reduce the salary attached to the office, was perfectly aware of the fact that the power existed. But, my Lords, that is not all. The noble Lord, in his answer, dated the 18th June, which he told you he would not read, wrote thus:—

> "I concur with your Lordship in considering that it would be an improvement to introduce into Nova Scotia the system in operation in Canada,

> of excluding from the House of Assembly and the Executive Council all persons engaged in the direct collection of public money."

Now, here, I must say, the noble Lord had received very erroneous information; for there are two financial officers in the Executive Council and House of Assembly of Lower Canada. The noble Lord proceeded to say—

> "I should, therefore, entirely approve of the enactment of a law by the legislature of Nova Scotia extending the same system to that province, and fixing permanently the amount of the salaries of the office of treasurer and collector of customs."

But what was the answer of Lord Falkland to that despatch? He had said that the office was held subject to an annual vote; and that it was subject to increase or reduction by the Assembly. And the noble Lord was quite aware that if that were the case, the tenure of office was at the pleasure of the Assembly, and not of the Crown; and he proposed that it should be made a permanent charge upon the revenue. What was Lord Falkland's answer? In his despatch, dated July 15, 1843, he said—

> "However strongly we may both feel on this subject, I am by no means certain that the local government could at present carry a law in relation to it through the legislature, while I am well aware that the appointment of a treasurer by your Lordship's command on the conditions I have stated would enable me to effect the object —in great part—without difficulty, or inconvenient results."

Therefore Lord Falkland was well aware that the Assembly would not give up their power over the office, and that he could not safely make the proposal, and it was retained by the opponents of those now in power. Mr. Fairbanks was in Lord Falkland's Council, and he must have been cognisant of all the circumstances. I must say that so far as the legislature of Nova Scotia is concerned, Mr. Fairbanks had fair warning when he accepted office; for, in the discussions that took place in the Assembly, those gentlemen who are now in power made no secret of their intention, in case of a change in public opinion, and of their becoming ascendant, that they would insist upon the office of treasurer being regarded as a political one. I am exceedingly sorry that Mr. Fairbanks has, in the exercise of his undoubted right, presented a petition to your Lordships' House; because he has compelled me, very unwillingly, to make this statement, which I consider will very much injure his future prospects; for his case is not yet finally decided. It is perfectly true that addresses have been passed by the two Houses of the Provincial Legislature, requesting that the Act already passed should be confirmed. But I have received a communication from a distinguished member of the Council, and a despatch from the Governor, by the last mail, saying that at that late period before the despatch of the mail, it was impossible for him to accompany the addresses by an explanation, but it was his intention to forward them, with an explanation, by the next mail. In the absence of those papers it will be impossible for me to determine what advice I shall submit to Her Majesty upon the subject; but, having been challenged to state the actual circumstances of the case, I may be allowed to point out to your Lordships the course I have adopted. A measure was passed by the legislature of Nova Scotia remodelling the existing establishments in connexion with the receipts and expenditure of the revenue. Certainly, there can be no question of more purely local interest; and they were at the most perfect liberty to adopt whatever course they thought best concerning it. The arrangement which the legislature of the colony decidedly and deliberately thought best for their own purposes I confirmed, upon the principle which I have explained, that that which the colonists think best suited to their purposes ought not to be permanently refused by the Government of this country. When a measure came before me which I considered open to very considerable objections, I pointed out those objections, and I recommended modifications, directing the despatch containing those opinions to be laid before the legislature of Nova Scotia. I need not tell your Lordships that a great difference of opinion exists in the colonial legislature upon a matter of this kind, and such a statement of objections to a measure by the Home Government carries great weight with it. The best proof of such being the case is this, that having made similar objections to some payments from the civil list, relative to the salaries of the judges, notwithstanding the most energetic opposition on the part of some members, the objections were acquiesced in, and my advice has been adopted; and, therefore I say, that this was a course which gave Mr. Fairbanks very considerable advantages. But, in offering those objections, I thought it right to add—and I still think it right to add—that if the legislature should adhere to the view they had previously taken of the case, it was a subject which, under the rule, which I think to be a sound one, of colonial government, it would be an improper exercise of the power of the Crown to refuse acceding to. I see no reason to believe that in so doing I was acting wrong. Mr. Fairbanks held his office at the will of the House of Assembly. The Crown did not profess to have the power of continuing to him the enjoyment of his salary; and therefore, in allowing this arrangement to take effect, I certainly did no injury to him, since he would equally have lost his salary by the cessation of the vote which would undoubtedly have followed. But I allowed the legislature to make the arrangement with regard to the future management of the finances of the colony which they, in their deliberate judgment, have thought best. Had I, instead of doing so, determined on resistance, and compelled the Governor to refuse to allow such a measure to be brought in, and had so compelled him to lose the services in his Council of those gentlemen who possess the confidence of the Assembly—if I had thereby allowed the affairs of the colony to be thrown into confusion, as undoubtedly they would have been, I say it would have been an overstraining of the powers of the Crown. This, my Lords, is a simple explanation of this transaction. If, after this, your Lordships think I have acted erroneously, I must feel deep regret that such should be the result. But, after having given my best attention to the subject, I must say, that if I were again placed in the same situation, I should again repeat the instructions I have already given.

LORD BROUGHAM expressed his satisfaction at the explanation that had been given by the noble Earl with regard to the appointment of Lord Elgin, and his utter denial, thereby, of the assertion that that appointment had been made in consequence of Lord Elgin being a family connexion of his (Earl Grey). He (Lord Brougham) well knew the contrary; but the public did not know it, and so the belief had got abroad that the noble Earl favoured the members of his own family. There was another charge made against the noble Earl, with regard to which he (Lord Brougham) was anxious to do justice. It was that relating to the appointment of a right hon. Friend of his to the governorship of Jamaica. He was constantly hearing his right hon. Friend called "one of the Grey family." Certainly his name was Grey; but the fact was that he was related to the noble Earl in somewhat the same degree that he was to him (Lord Brougham), that was to say, through their common descent from their first parents. His right hon. Friend had been first sent to Calcutta by the opponents of the noble Earl, Lord Liverpool and Lord Castlereagh. He had been, with himself (Lord Brougham), an active member of his Infant School Committee, and was taken from that to be sent as chief justice to Calcutta. From thence he was sent to Barbadoes, and thence to Jamaica, merely on account of his ability; and he was no more an adherent of the noble Earl in local politics than he was in general politics, or than he was any relation. He had listened with great pain and considerable anxiety to the defence of the noble Earl, with respect to Mr. Fairbanks. He must say that gentleman had been exceedingly ill-used, and he was not at all shaken in that opinion by the explanation which had been given by the noble Earl. The noble Earl had done his best, and had been a skilful, able, and zealous advocate. He had made the best of a bad cause, but he had left the case exactly where he found it; and he certainly had not in the slightest degree convinced him (Lord Brougham) that this was not a well-grounded complaint of ill usage made by Mr. Fairbanks. The noble Earl said that Mr. Fairbanks had received full notice that his office was a precarious one, and depended upon the will of the majority of the Assembly, to which he might be politically hostile. But this was no reason why the Government should allow that gentleman to be treated with hardship, which was only another term for injustice. It was said that his salary depended on annual votes of the Assembly. But the Judges of the Admiralty Court in this country, amongst whom was Dr. Lushington, were dependent for their salaries upon the annual votes of the House of Commons. Now, he defied Mr. Fairbanks to be more of a political party man than was Dr. Lushington; but if a new Government should attempt on that ground to withdraw Dr. Lushington's salary, the whole country would be most justly aroused against them. This shameful arrangement was recently changed, and the learned Judge's salary was now paid without yearly vote; but he spoke of what would have been the case formerly. Suppose a Bill were to be brought into Parliament to abolish Dr. Lushington's office, or divide it into two, and the two so created were given to conservatives. That was what had been done in Mr. Fairbanks' case. Not only was the vote not agreed to year after year, but a Bill was brought in dividing his office, and appointing two gentlemen, partisans of the opposite faction. That was what was complained of. If the noble Earl had offered the same resistance to that Bill that he did to the Civil List Bill, there would have been some show of justice to Mr. Fairbanks. In the one case the noble Earl said—" If you send over the Bill unmodified, I will throw it out—I will not obtain the consent of the Crown." But in the other case all he said was—" If you persist in this Bill, my reasons are against you; but still if you persist I will give in." Why, that was a direct temptation not to yield to his reasons. He gave them on the one hand strong reasons for giving in, and on the other very strong motives for not giving in. The result, as might be expected, was, that the parties did not give in, but held out. With respect to the dismissal of the 100 magistrates, he thought that was a still more important breach of duty. No plea of its being the will of the majority of the Assembly could be offered in that case, for it was simply the act of the Governor himself, who took upon him to dismiss, upon the advice of a factious council —for it was a factious measure altogether —to dismiss 100 magistrates, who had not only the ordinary jurisdiction of magistrates, but had four-fifths, as the petition stated, of the whole civil business of the country under their jurisdiction, while all cases under 10*l.* were referred to them. This dismissal appeared to him (Lord Brougham) to be one of the most violent measures ever adopted in any colony. The magistrates by this course were turned into political traders and political agitators. He would like to know what would be said if a Lord Chancellor or a Secretary of State for the Home Department in this country, on coming into office, were to strike off the commission of the peace the proportion of 100 magistrates to every 250,000 inhabitants. Why, that would be somewhere about 7,000 or 8,000 magistrates dismissed in one morning. It had always been admitted in this country that a very grave case should be made out to justify the suspension or dismissal of a justice of the peace. Lord Eldon's rule was, never to dismiss without a prosecution and a conviction. He (Lord Brougham) did not go so far; but he clearly thought, and on this ground he had ever acted while he held the great seal, that a strong case individually could alone warrant a dismissal. Such things being done in the colonies called for a more rigorous control by the Government in this country over the local authorities. Agreeing as he did, with the admirable despatch quoted by his noble Friend of Lord Metcalfe, yet he deprecated any attempt at laying down general rules in the delicate relations which existed between the Government of the mother country and the colonies. Unless the Government at home did exercise a superintendence and an effectual control over the local assemblies—if they delegated great powers to the Governor, who, urged on by the party in possession of power in his assembly or in his council, admitted it to be a sufficient answer to all complaints of his administration that the Government at home were not to take part with the minority—it might be the minority of a very few hundreds, while the colony was oppressed by the overbearing sway of a bare narrow majority—if, in that case, protection were not given effectually by the Government at home, he must say, that there would be constant risk run of the greatest injustice and most impolitic government being practised in those important settlements.

Earl GREY said, the noble and learned Lord must not assume that everything was fact that was stated in the petition. In that petition it was alleged that 100 magistrates had been dismissed. Now in those dismissals were included the names of persons who had been dead many years. He believed that out of the hundred as many as 30 or 40 were the names of persons dead.

Lord BROUGHAM: Then that is a great misrepresentation.

Earl GREY: That was precisely what he wished to impress upon their Lordships, not to form a judgment upon these *ex parte* statements, in a case the facts of which they did not know. The real facts would no doubt come before Parliament, and it was unjust to the Governor, and unjust to the inhabitants of the colonies, to express any opinion now. With respect to Mr. Fairbanks, he would remind the noble and learned Lord, that there was a material difference between that gentleman's case and the Judges. With respect to the Judges, the Crown had the means of placing them independent of the Assembly.

LORD BROUGHAM: I am talking of the English Judges.

EARL GREY: As regarded the Judges in the colonies, the Crown had the power of continuing to pay the Judges as they had been paid for several years; but in the case of Mr. Fairbanks, his salary had ceased by the act of the Assembly; and however hard it might be on Mr. Fairbanks, the Crown possessed no power of repairing that damage. He would say more: the Civil List Bill, which the noble Lord opposite had proposed to the Assembly to take, contained no provision for the grant of pensions, but fixed the salaries afresh. He (Earl Grey) would be very sorry indeed if his right hon. Friend Sir Charles Grey should be mortified by supposing that he was disclaimed, either as a political ally or as a relation, by him (Earl Grey). There certainly was a relationship—a distant one—but what it was he could not say, although there could not be a doubt that they had both sprung from the same family much later than the period referred to by the noble and learned Lord, namely, our common first parents.

LORD STANLEY said, he had stated the case as it was stated in the petition. The petition stated that 100 magistrates had been dismissed, and now the noble Earl said that 30 or 40 of these were dead. That left at least 60 magistrates dismissed; therefore, in point of principle, there was no difference.

Subject at an end.

House adjourned.

HOUSE OF COMMONS,

Monday, March 26, 1849.

MINUTES.] PUBLIC BILLS.—1° Attachments, Courts of Record (Ireland); Bankruptcy (Ireland).

2° Prisoners Removal (Ireland).

Reported.—Mutiny; Marine Mutiny; Navigation; Indemnity.

PETITIONS PRESENTED. By Mr. Tufnell, from the Congregation of Unitarians, of Granby Street Chapel, Devonport, in favour of the Parliamentary Oaths Bill; and in favour of the Clergy Relief Bill.—By Mr. Fox Maule, from the General Assembly of the Free Church of Scotland, for an Alteration of the Law respecting the Non-Conformist Congregations (Scotland).—By Mr. Cobden, from the Town and Neighbourhood of Alnwick, Northumberland, for Abolition of the Protestant Establishment (Ireland).—By Sir H. W. Barron, from the City of Waterford, for Removal of Catholic Attorneys' Disabilities.—By Mr. Cobden, from Holmfirth, in the West Riding of Yorkshire, for Reduction of the Public Expenditure.—By Mr. Baines, from the Guardians of the Mansfield Union, in the Counties of Nottingham and Derby, for Rating Owners, in lieu of Occupiers, of Tenements.—By Mr. Bourke, from the High Sheriff and Grand Jury of the County of Galway, respecting Depredations by Killing Cattle, Sheep, &c. (Ireland).—By Mr. Scrope, from Athlone, for an Alteration of the Law of Landlord and Tenant (Ireland).—By Mr. Alderman Copeland, from the Guardians of the Wolstanton and Burslem Union, in the County of Stafford, for the Suppression of Mendicancy.—By Mr. Thomas Greene, from the Town and Port of Lancaster, against the Navigation Bill.—From a great Number of Places, against the proposed Rate in Aid (Ireland).—From John Walter Cowell, M.D., of the Electoral Division of Kilbeggan, in the Tullamore Union (Ireland), respecting the Conduct of the Relieving Officer of that Division.—By Mr. Osborne, from the Officers of several Unions in Middlesex, for a Superannuation Fund for Poor Law Officers.—By Captain Edwards, from Halifax, for the Suppression of Promiscuous Intercourse.—By Mr. Forbes, from the Parochial Board of Killearn, in the County of Stirling, against the Registering Births, &c. (Scotland) Bill.—By Mr. Cobden, from George Ball, of Kexbro', near Barnsley, for an Alteration of the Sale of Beer Act.—By Mr. Elliot, from Hawick, and its Vicinity, and a Number of other Places, for Referring War Disputes to Arbitration.

BUSINESS OF THE HOUSE.

MR. F. FRENCH asked whether the Rate in Aid Bill would be proceeded with that evening, and what was the latest hour at which it would be taken?

LORD J. RUSSELL: I do not propose to bring on the Rate in Aid Bill later than ten o'clock. If the Committee on the Navigation Bill be concluded before that hour, I propose to bring it on. I may, perhaps, take this opportunity also to state, that I propose to take the Navigation Bill this evening, and to go through Committee. I propose that the report should be considered on Monday next, and that the third reading should be taken after Easter. With respect to the Rate in Aid Bill, I beg to state that, if it is not proceeded with to-night, I propose to proceed with it on Wednesday, and to go on with it on Friday till the Bill has been read a second time. I should propose, on Friday, that the House go into Committee of the whole House, for the purpose of moving that a sum not exceeding 100,000*l*. be advanced on the credit of the rate in aid for the distressed unions in Ireland. If the Committee of the whole House should agree to that resolution, I should propose afterwards that it be inserted as a clause in the Rate in Aid Bill. I likewise beg to state that I shall propose, on Monday next, that on Thursday, the 19th of April, and every alternate Thursday after that day, Orders of the Day shall have precedence of Notices. I beg likewise to give notice that, on Wednesday se'nnight, I shall propose that the House at its rising do adjourn to Monday, the 16th April.

MR. STAFFORD: Does the noble Lord mean to propose the vote of 100,000*l*. on Friday if the debate on the second reading of the Rate in Aid Bill be not then concluded.

Lord J. RUSSELL: I will take the second reading of the Bill before the vote in Committee; but I will put it for Friday at present.

Mr. ANSTEY: Will the noble Lord state whether he means to take any vote in supply to-night?

Lord J. RUSSELL: I believe we shall require a vote on account with reference to the Ordnance. That is absolutely necessary.

NAVIGATION BILL.

The House went into Committee on the Navigation Laws.

Clause 19—

> "And be it enacted, That in case it shall be made to appear to Her Majesty that British vessels are subject in any foreign country to any prohibitions or restrictions as to the voyages in which they may engage, or as to the articles which they may import into or export from such country, it shall be lawful for Her Majesty (if she think fit), by Order in Council, to impose such prohibitions or restrictions upon the ships of such foreign country, either as to the voyages in which they may engage, or as to the articles which they may import into or export from, or carry coastwise in, any part of the United Kingdom, or of any British possession in any part of the world, as Her Majesty may think fit, so as to place the ships of such country on as nearly as possible the same footing in British ports as that on which British ships are placed in the ports of such country."

The **CHAIRMAN** intimated, that this being in substance the proposition of a perfectly new clause, it could not be brought forward until the report was received.

Mr. RICARDO expressed himself in opposition to the principle of reciprocity involved in the clause, simply because he believed that it would have the effect (if any at all) of obstructing the principle of the Bill. The clause, however, was likely to be practically inoperative, and he thought that the omission of it would be of advantage.

Mr. LABOUCHERE said, that this question was one which had been fully inquired into and answered during the discussions on this subject last Session, and he thought, therefore, that it was quite unnecessary for him to enter into it. He entirely disagreed with his hon. Friend the Member for Stoke-upon-Trent in the belief that this was merely a formal part of the Bill; on the contrary, he believed it to be a most essential part. It vested the power in this country of retaliating at any time upon foreign States should they seek to take an undue advantage of our liberality. He objected to the principle of making legislation conditional on reciprocity, for that rather impaired than advanced the power of a Government to protect the rights of the subjects of its own country. It was different, however, with the clause before the Committee, which was rather in the nature of a check and a controlling power. So far from this being an immaterial portion of the Bill, he must repeat that he thought it to be a most substantial and important part, and certainly should give his most strenuous opposition to any proceeding which was calculated to impede the Ministry in their power to rightly protect the shipping interests of this country.

Mr. G. SANDARS rose, and said: Sir, as I find by the forms of the House it is not in my power to introduce the clause I have given notice of, at this stage of the proceedings, I shall content myself at present with stating its objects, and shall bring it up when the other clauses have been disposed of. Sir, the clause now under discussion (the 19th) is that which professes to give to Her Majesty in Council the power of retaliation against those countries which do not grant the like privileges to us which we give to them; but this clause is so worded as to convey an impression that it is not the intention of Her Majesty's Ministers to put it in force. In fact, the right hon. Gentleman the President of the Board of Trade, in introducing the Bill, admitted, that it was a passive rather than an active power. Now, Sir, the object of my clause is, to make it obligatory on Her Majesty in Council, when cause is shown, to enforce these retaliatory clauses. If they are to remain in the Bill, let it be understood by this House, and the country, and by foreign countries, that it is intended they should, at the proper time, be acted upon. Then I believe that before the expiration of the three years proposed, foreign countries (studying their own interest), will be but too happy to place themselves in a condition to be able to continue the advantages this measure will confer on them. Blind, indeed, would they be to their own interest, if it were not so; for, what equivalent has any other country to offer to us for the throwing open to it of our colonial trade, unless America will throw open to us as an equivalent her coasting trade? and I do say, if she acts with perfect fairness towards us she will do so. Sir, three plans have already been submitted to the House, viz., that of the hon. Member for Kilmarnock, which is the plan of reciprocity; that of the right hon. Gentleman the Member for the University of Oxford, which he terms "conditional legislation;" and, lastly, that of the Government. I felt obliged to vote against the plan of the hon. Member for Kilmarnock, as it appeared to me to be difficult, if not impracticable, to carry out its operation. Then, Sir, I could not agree with the plan of conditional legislation, advocated by the right hon. Member for the University of Oxford, as it appeared to me an objectionable extension of the principle of reciprocity; compelling the opening of our coasting trade to the competition of foreigners. I should regret to see our ports filled with the small craft of Denmark, Holland, Norway, and Sweden, competing with our own native sailors at their very doors. Then, Sir, there is left the plan of the Government, which appears to me the most desirable of the three, yet it requires improvement in its details, and particularly in the clause under consideration. Sir, it may be asked, why I, sitting at this side the House, and usually opposed to what are called the principles of free trade, should support the Government measure? I answer for two reasons: first, whether right or wrong, we are committed to the principles of free trade, and I see no reason for excepting the shipping interest from its operation; secondly, from the inconvenience which I, as a mercantile man, trading to all parts of the globe, have experienced from the operation of these laws. The right hon. Gentleman the Member for Stamford, in his speech the other evening, gave us the names of several West India merchants of high respectability and standing, who, in their evidence, said they experienced no inconvenience in carrying on their trade from the operation of these laws. This fact I can readily believe. Merchants confining their operations to one locality, and engaged in a trade not subjected to sudden fluctuations of supply and demand, are very differently situated from those who are trading to all parts of the world, and in an article subject to great and sudden fluctuations in price, supply, and demand. I speak practically on this point. The house to which I belong has had corn lying at various ports of the Mediterranean, the Black Sea, and the Baltic; and though foreign ships might have been had, it often happened that English vessels could not on any terms, and if chartered cost some 30 or 40 per cent more than foreign ships on the spot, besides entailing great loss and inconvenience from the delay. I have also frequently known that cargoes shipped in foreign vessels intended for the united kingdom, had to be sent to a foreign port to be reshipped in a British vessel to this country. Really, such anomalies ought no longer to be endured. All admit that these laws do entail hardships and inconveniences on our commerce. The right hon. Gentleman the Member for Stamford, in the resolution he brought forward last year, admitted this; and he proposed to agree to a modification, but still to maintain the fundamental principles. Why, Sir, these fundamental principles had, in fact, been surrendered in 1823 by Mr. Huskisson's Reciprocity Treaties. These treaties have worked well; for I believe in every instance, though the terms for which they were granted had expired, both parties admit the benefits received, and allow their practical continuance, though there are no treaties existing to authorise and enforce their observance. It is argued by the supporters of the navigation laws that they are necessary to preserve our naval supremacy. If I thought so, I should be the last man to vote for their repeal. All will agree that if the repeal of these laws does not injure our mercantile marine, neither can it our naval efficiency. Let us see what has been the effect of Mr. Huskisson's Reciprocity Treaties. The tonnage on British ships was in

1823	2,460,500
1846	3,952,524

TONNAGE ON BRITISH SHIPS INWARDS AND OUTWARDS.

1823	3,454,853
1846	8,900,000

SEAMEN.

1823	165,474
1846	252,000

And this great increase, Sir, in spite of all the gloomy forebodings and evil prognostications of the opponents of these measures in those days. I can see no reason why the shipping interest should be thus exclusively protected. It has always taken care of itself, and taken advantage of every opportunity of increasing freights. In the year 1847, that year of large importation of corn, freights advanced some 300 to 400 per cent. 8*s.* was paid per barrel on flour from New York to Liverpool, whilst 2*s.* is the usual freight; 2*s.* 3*d.* was paid per bushel on corn in place of 9*d.*, the customary freight; and similarly increased freights were paid from all quarters of the world, notwithstanding the suspension of our navigation laws during the whole of that period. On behalf of the agricultural interest and the tenant farmers I claim the repeal of these laws. Why, when they are deprived of protection, should they be compelled to pay some 30 to 40 per cent increase of freight on their manure—the guano, the rape cake, and bones —or the food for their cattle—the linseed cake, maize, and pulse? Why should they be taxed for the benefit of this privileged interest? Sir, I beg pardon for wandering thus far from the immediate question before the Committee; but this being the only opportunity I have had of addressing the House upon this question, I felt I might trespass a short time upon its indulgence. Sir, I look for support to my Amendment from hon. Gentlemen around me. All agree there are inconveniences which ought to be got rid of—all must admit that some change is desirable; then better far support my clause, which does not make an unconditional surrender, but which adopts, after a trial of three years, the American principle, "if you give little, we give little, if you give much, we give much, if you give all, we give all." I have a right also to look for the support of the right hon. Baronet the Member for Tamworth, who advocated in his speech last Session the principle of a limited continuation of the powers of this Bill. The right hon. Baronet said—

> "I wish the Ministers to consider the policy of giving a temporary duration to the Act, so that at a certain period the privileges conferred by Act of Parliament would terminate without the Crown being called upon to fulfil the painful duty of reimposing restrictions. Suppose the trade were to be opened for a period of five years; at the end of that period the privileges given would necessarily expire, and every country would have notice that they had the means of averting the re-establishment of restrictions by entering into some arrangement with this country."

The difference would be this, that whilst his plan would require all the countries which had acted on the principle of reciprocity to apply for fresh powers at the end of five years, mine would leave all such countries to the enjoyment of their privileges, and the few who refused to act on the principle of "what you give, we will give," would have those privileges withdrawn. I shall move, Sir, that the following clause be brought up when all the other clauses have been disposed of:—

> "Whereas it is expedient that inducements be held out to foreign States to place British vessels in foreign ports on the same footing on which the vessels of such foreign States are placed in the ports of this country; Be it enacted, that, in case it shall, at the expiration of three years from the passing of this Act, be made to appear to Her Majesty that British vessels are subject in any foreign country to any prohibitions or restrictions as to the voyages in which they may engage, or as to the articles which they may import into or export from such conntry, to which the ships of such foreign country are not subject in this country, it shall then be lawful for Her Majesty in Council to impose such prohibitions or restrictions upon the ships of such foreign country as shall place the ships of such country on as nearly as possible the same footing in British ports as that on which British ships are placed in the ports of such country."

Mr. HERRIES said, this clause, taken in conjunction with the first, abolishing existing Acts, formed, in fact, the Bill, that is, contained its very essence; and while he still retained his objection to the whole principle of this measure, he thought he might here observe that nothing could show more the necessity for an important modification of the measure than the number of proposals which had been made on this very subject of reciprocity. First, there was the hon. Member for Kilmarnock, who made an effort to introduce a clause to that effect; then there was the present provision for the same purpose; and, lastly, his right hon. Friend the Member for the University of Oxford, had suggested, though he had not pressed, some conditional clauses. He regretted at the time that the right hon. Gentleman had not brought forward his plan, and he did so the more, now that he understood under what erroneous impressions it was that he had declined to do so. It appeared that he had mainly abstained from proposing his plan, because he thought there were some persons, or some party in the House, who would be disposed to make a tool of his proposition, by placing him in a dilemma in a subsequent stage upon the merits of the Bill. If the right hon. Gentleman supposed that there was the least stratagem intended upon his part, or on the part of those hon. Members with whom he was acting, he had been most grievously mistaken. It had never entered into his mind, and he knew not the person who had for a moment indulged such a thought. He and those who were acting with him would adopt a plain, manly, and straightforward course in giving their opposition to what they believed to be a most pernicious and calamitous measure to the country. He had never lent himself to any plan, nor indeed had any one of the party with whom he was connected, for the purpose of obstructing or impeding the legitimate progress of the Bill. With respect to the particular clause before the House, he was bound to say that he did not attach much importance to it, because it could do no good, but might possibly do a great deal of mischief. Upon looking at it as it stood, they could not but ask themselves what its effect would be with respect to the United States. His right hon. Friend the President of the Board of Trade had withdrawn, when the Navigation Bill was last under discussion, that part of the Bill which was the least objectionable. If they could have succeeded in getting some return from the United States for that portion of our coasting trade which it was proposed to give them, he must confess that the arrangement introduced by the Bill would have been less objectionable. The restrictions of America were manifold; yet, notwithstanding all the advantages we gave her, we were to receive nothing in return, whereas they ought to get from foreign countries, and from America in particular, something like reciprocity. The United States had declined to enter into the arrangement alluded to, for an exchange of the coasting trades of the two countries; and this was the real reason for the withdrawal of the "coasting clauses" from the present Bill. The Americans were too wise to give away anything for nothing. And what, he asked, would be the effect of the retaliation clause upon them? After surrendering to them that colonial trade which they had so long been seeking, what had we to withhold or withdraw? Why, the Americans had, by the mouth of Mr. Clay, their eminent statesman, laid down this principle:—

> "Whatever commercial privileges are granted by the United States to any foreign nation are founded upon equivalents; holding out the principle of fair reciprocity, we neither ask nor afford commercial boons."

However (said the right hon. Gentleman) we do. But I think America "wiser in her generation" than we are—for I think it is the duty of every Government to protect the interests of its own people.

MR. MACGREGOR considered this clause as necessary to the present Bill, although he confessed he would much rather that it had not been introduced at all. If there was one reason more than another which had induced him to form that opinion, it was a desire on his part to see the restrictions removed from all the commercial and maritime interests between every portion of the British empire and the United States of America. It had been said that they were giving everything to America, and that she had little to give this country in return. He did not concur in that opinion; he believed that the indirect trade with America would be very great. The trade from the Mediterranean and other parts, which would be open to this country, would be of greater importance than could be estimated at the present moment. The United States were willing to meet this country if the Government would only act in the same liberal spirit towards them.

MR. ROBINSON wished to suggest an Amendment in the clause, which would have the effect of taking away from the Privy Council the option of restricting the privileges of foreign ships in the event of foreign countries not reciprocating with us. That object, could, he understood, be effected by omitting the words "if she think fit." He should be glad to know whether the omission of those words would make it imperative on the Privy Council to act in such cases?

MR. LABOUCHERE said, that in his opinion, the omission of the words would make it imperative to restrict the privilege of foreign ships, in cases where the countries to which they belonged did not reciprocate with this country. If this Amendment, however, were carried, it would only revive the old spirit of retaliation, and make it the duty of the Government to retaliate every little restriction that might be imposed by other countries, to the great inconvenience of the trade of this country. He hoped, therefore, that the Amendment would not be pressed.

MR. GLADSTONE differed with the right hon. Gentleman as to the construction of the words of this clause. He did not think that a clause stating that "it shall be lawful for Her Majesty to do so and so," would at all bear the construction that she was bound to do it. The right hon. Gentleman the Member for Stamford had alluded to the course which he (Mr. Gladstone) had taken with respect to the Amendment which he had intended to have proposed to the House. When he said, on a former occasion, that the right hon. Gentleman, or any one acting with him, intended to use his Amendment as an instrument or tool, for the purpose of defeating the Bill, he did not in the slightest degree mean to insinuate anything but the most manly and straightforward course of opposition. There was not the slightest reason to complain of the mode in which the right hon. Gentleman and those acting with him had chosen to make their opposition to the Bill. What he thought was, that, as he was about to make a proposal entirely independent of those hon. Members, it was intended to make use of that proposal for the purpose of damaging the Bill; as he did not consider that his propositions would have been valuable unless they had received either the support of the Government, or the undivided support of the Opposition.

Mr. ROBINSON said, that he would like to know from the Attorney General what would be the effect of the omission of the words he had proposed?

The ATTORNEY GENERAL said, that undoubtedly the impression on the public mind of the omission of those words would be that Her Majesty would be required by the Act to do certain things.

Sir F. THESIGER was of opinion that the words "it shall be lawful for Her Majesty," if they stood alone, would not imply that she was bound to carry out the restrictions referred to in this clause. It was merely discretionary.

Mr. STUART suggested the withdrawal of the Amendment.

The Amendment was then withdrawn, and the clause was ordered to stand part of the Bill.

Clauses 20 and 21 were agreed to without discussion.

On Clause 22, enabling the Queen in Council to reduce differential duties in certain cases,

Mr. LABOUCHERE said, that the object of the clause was very simple. Her Majesty was at present enabled, when a commercial treaty had been entered into with any Power, and that Power had reduced the light-dues, harbour dues, and other charges of that kind upon our vessels, so as to place them in that respect upon the same footing as their own, to make a corresponding reduction in the charges upon foreign vessels. But to enable Her Majesty in Council to do this, there must be a treaty between this country and the foreign Power in question; and the Brazils and Spain were unwilling to conclude a treaty for that purpose, though they were quite willing to remit these duties. It was most desirable that our shipping should have the same relief in this respect in countries with which we had not formal treaties on the subject, as was afforded to it in countries with which treaties existed. The object of the clause, therefore, was to enable Her Majesty to reduce the differential duties by an Order in Council, whether there was a treaty with a foreign country or not.

Mr. RICARDO asked why dock dues were not included among the dues remitted?

Mr. LABOUCHERE: That was a large question—which it would not be advisable to discuss at present. Dock dues stood on a different footing from light and harbour dues, inasmuch as docks were the property of private corporations, and those dues did not appear to stand on the same broad and national foundation as the other dues he had mentioned.

Mr. RICARDO: But dock dues are already remitted in the case of the vessels of some foreign Powers.

Mr. WAWN: The Hull Dock Company had received a grant of land belonging to the Crown for the construction of a new dock, in order to provide accommodation for the shipping of that port, and had yet received 10,000*l.* from the Government for dock dues remitted to foreign vessels. He proposed to insert "dock dues" after "light dues."

The ATTORNEY GENERAL: The words of the clause as they stand include everything now paid by the Government.

Mr. HENLEY: The whole question of this remission of dues and payment out of the Consolidated Fund required consideration and revision. Some hundreds of thousands had been paid out of the Consolidated Fund in consequence of doing away with these differential dues. It might be a question whether corporations and private individuals ought not to forego these dues, payable by foreign vessels, instead of calling upon the Government to pay them.

The ATTORNEY GENERAL: The words of the present clause were borrowed from those of the Act of the 59th of George III., and the words "other dues," in that Act were held to include dock dues, which were paid by the Government in certain cases under that Act. The effect of the present clause would be that the remission of dues, which at present must be done by treaty with foreign States, might be done without, by an Order of the Queen in Council.

Mr. HENLEY: These charges might

go on increasing to any extent. The Act of Parliament to which the hon. and learned Gentleman had referred, only contemplated a limited state of things, and not the opening of the trade to the extent to which it had proceeded.

Mr. GLADSTONE said, he presumed that, in point of fact, the extension of the public burdens contemplated by this clause was not considerable; because the right hon. Gentleman the President of the Board of Trade had referred to Spain and the Brazils, who had not a great deal of shipping. He wished, however, to refer to a matter of some importance, arising out of this clause, though it related to a point of form, namely, whether the clause was sufficient to enable Her Majesty to lay charges on the Consolidated Fund. The Attorney General had referred the Committee to the Act 59 Geo. III.; but though there was a clause like this in that Act, there was also another clause which enjoined the payment of the money out of the Consolidated Fund, and therefore he presumed that the latter clause had been the subject of a preliminary resolution in the Committee of the whole House. There had been no preliminary resolution in the present instance that the money should be paid out of the Consolidated Fund, and he should be glad to hear the opinion of the Chairman, now that his attention had been called to the subject.

The CHAIRMAN (Mr. Bernal) having already had his attention drawn to this point confessed he had doubts, and was not prepared to say that the Committee could proceed at present without such preliminary consent having been given in Committee of the whole House.

The CHANCELLOR of the EXCHEQUER: When the Queen made a treaty She was enabled to charge the Consolidated Fund with the payment of these dues.

Mr. HENLEY suggested the postponement of the clause.

Mr. LABOUCHERE: The clause had no necessary connexion with the Bill before the House, and he would withdraw it for the present. If he found that he could bring it forward afterwards he would do so.

Clause 22 was then withdrawn.

Clauses 23 to 28 inclusive were agreed to without discussion.

On Clause 29, which provides that a declaration shall be made by the owner of a vessel previous to registering, that he is a subject of Great Britain,

Mr. GLADSTONE, on the subject of the ownership of vessels, thought it a questionable provision by which no foreigner could, either directly or indirectly, hold any ownership or part ownership in a British ship. Several vessels were owned partly by foreigners and partly by British subjects; and if other foreign Powers adopted the same rule as ourselves, it would follow that those ships could not be registered in any country whatever. He did not see why they should make the rule so stringent. A vessel, to be entitled to the privileges of a British vessel, ought to be principally British; but it would surely be enough if the majority of the shares in such ships were owned by British shipowners.

Mr. MILNER GIBSON agreed in the principle of the objection urged by the right hon. Gentleman; but it was of very little practical importance, as the law was sure to be evaded. People were obliged to live outside the law sometimes. The ships of the General Steam Navigation Company had been held to be entitled to the privileges of British registry, though it was notorious that the greater number of the shareholders were foreigners. It was a most anomalous thing that they might compose nearly the whole proprietary body of a large and powerful corporation, and yet not be entitled to own the one-hundreth part of a single sloop.

Mr. HUTT believed that shares to a considerable extent in British vessels were held by foreigners in the name of other persons. He agreed with his right hon. Friend, that the law would be extensively evaded; but, inasmuch as the clause would, *pro tanto*, restrict the sale of British vessels, it was to that extent a bad one. He suggested that they should add—"Provided that the larger number of registered shares should be owned by British subjects."

Mr. LABOUCHERE said, that a vessel, in order to acquire the character of a British ship, must be British owned. He thought there was no practical inconvenience in leaving the law as it stood, though he should be ready to consider any amendment which might be proposed specifying the proportion of foreign shares which might be held in a British ship. He knew that any law which was passed might be evaded to some extent; but that was no reason why they should make evasion more easy. He certainly did not wish to see ships which were really the property of foreigners entitled to the privileges of a British register.

The clause was then agreed to, as were also the remaining clauses of the Bill.

Mr. G. SANDARS said, with reference to the clause of which he had given notice, respecting inducements to be held out to foreign States to place British vessels on the same footing as their own, he did not think it then expedient to press it to a division.

Motion, by leave, withdrawn.

On the Motion that the preamble be agreed to,

Mr. GLADSTONE said, that before the Bill was reported to the House, he should wish to ask the right hon. Gentleman the President of the Board of Trade, with reference to the powers proposed to be conferred on the colonial legislatures, whether he had had an opportunity of considering the Amendments which he had placed on the Votes in the form of clauses to be inserted on the report? He would leave the form of the clauses to the right hon. Gentleman, if he could consistently adopt their substance.

Mr. LABOUCHERE thought there was no great practical difference between the right hon. Gentleman and himself on the subject; but still he preferred the course pursued by the Government, which was likely to be more acceptable to the colonies. He did not preclude himself, however, from giving the Amendments of the right hon. Gentleman further consideration.

Mr. GLADSTONE hoped that the right hon. Gentleman would apprise him when he had finally made up his mind, as it might be necessary to take the opinion of the House on the matter.

Mr. LABOUCHERE said, in reply, that he should do so shortly. He wished further to state, that he had recently conversed with some shipowners respecting the proviso which was to regulate the proportion between the number of British and foreign seamen to be employed in the vessels regarding which they intended to legislate by means of the present measure. In one respect it was proposed that, without reference to tonnage, the numbers of British and foreign seamen should bear a certain proportion to each other; in another it was proposed that where the number of British seamen bore a certain relation to the tonnage of the vessel, the number of foreigners on board need not be inquired into. As he saw no great advantage in the latter part of the proviso, he thought it might be withdrawn.

Mr. RICARDO said, it would be a great boon to the shipowners if the clause were got rid of altogether.

The preamble was then agreed to.

The House resumed. Bill reported; to be considered, as amended, on Monday next. Bill, as amended, to be printed.

Mr. HERRIES had understood from the noble Lord at the head of the Government that he did not, under any circumstances, intend to propose the third reading of this Bill until after Easter. He did not wish to offer any lengthened opposition to it in its next stage; but he certainly should oppose the third reading of it. He wished the noble Lord would name the day after Easter when he proposed to take the third reading.

Lord J. RUSSELL would do so in the course of a few days, and he would endeavour to fix upon a day which he thought would be most convenient to the House.

POOR LAWS (IRELAND)—RATE IN AID BILL.

Order for Second Reading read; Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. G. A. HAMILTON said, he felt he was incurring a serious responsibility in resisting the further progress of the Bill—a responsibility much increased by the announcement made by the noble Lord of his intention to call for a vote of 100,000*l.* on the faith of it. He knew it would be imputed to him, as it had been already imputed to those with whom he acted, that, uninfluenced by a sense of the miserable condition of certain districts in the west and south of Ireland, and influenced only by considerations connected with the more improved parts of that country, they were proposing to consign the inhabitants of those ill-fated districts to starvation. He would only say on this subject, that those who entertained that opinion did them great injustice. In opposing the Rate in Aid Bill, he and his friends were far from being indifferent to the condition of things in the west and south; they were not indisposed to afford the people of those districts the relief which the exigency of their case might require, and certainly they were far from being indisposed to submit to their own fair share of the cost of such relief. But they did object to the Rate in

Aid Bill, because they thought that while the aid required might be afforded in another manner, consistent with justice and sound policy, the Bill before the House was not only unjust and unconstitutional in its principle, but that it would be found inadequate and delusive as regarded the object it had in view, and that it was calculated to increase pauperism, and aggravate nearly all the evils which they had to contend with, and which had caused so many difficulties with regard to Ireland. It was stated on very high political authority—and of course it was well known as an historical fact—that nearly every great political struggle in these countries had been connected with questions of taxation; and certainly, considering the peculiar circumstances and temper of Ireland, there never was a time when, however desirable it might be that Irishmen should forget their differences, it would be more unfortunate for the best interests of the empire that they should be united by a feeling of unjust taxation, and in a determination, as far as possible, to resist it; and he trusted the noble Lord would not shut his eyes to the indications of a result which would be most deplorable as regards the interests of Ireland herself. Under any circumstances, it was most desirable, when a new impost was sought to be charged, that it should commend itself to the common sense and feeling of justice of those by whom it was to be paid: this was more especially necessary with regard to imposts upon particular classes, or districts—or of any partial operation, or for the benefit of particular localities. Men, in such cases, were peculiarly sensitive. Men were naturally and justly jealous lest the community should impose what ought to be a general charge upon a particular class of locality, and thereby overthrow the equity and balance which tend so much to cement the social and political fabric in these countries—and hence, probably, it was that it had now become almost a fundamental principle of the constitution, that rates or charges raised upon a locality should be levied and administered by local authorities. There was no party in the House by whom, when it suited their political purposes, this principle of the correlative rights of local taxation, local representation, and local administration, was more fully maintained and advocated, and its peculiar importance as regarded Ireland inculcated, than by those now in office. They had often, it was true, violated the great principles of the constitution. They had been compelled, by a dire necessity, to introduce Coercion Bills on many occasions, and even to suspend the Habeas Corpus Act; but the social and political fabric in Ireland was to be reconstructed by teaching Irishmen the English habits of self-dependence, self-government, and local administration. One would really almost suppose that the hon. Gentleman the Member for Buckinghamshire had introduced his resolutions the other night to embarrass Her Majesty's Government in reference to their conduct as regarded this Rate in Aid Bill. If he (Mr. Hamilton) wanted arguments against the principle of the Bill in this particular, he could find them in the speeches of Members on both sides of the House on that very kindred occasion. It might, perhaps, be irregular to allude to them more particularly; but one right hon. Gentleman—no mean authority—had stated that the habits of self-government were at the very basis of our social and political system; that it was impossible to pay too dear a price for it; and that if Parliament should undermine it even by interfering with a moiety of the local rates, they would inflict a blow not only on the prosperity but on the peace and happiness of the country, which they would rue to the end of their days. He objected to the Bill because it was in direct violation of this principle of the constitution, and because it did not commend itself to the sense of justice of those by whom the rate in aid was to be paid. The poor-law in Ireland was a great experiment; many of those the best conversant with the country were doubtful as to the result of it, even when established in its more limited form, and without any outdoor relief; and when the outdoor relief was superadded, contrary to the opinions and warnings of almost every Irish Member, a most severe pressure was put upon the whole country, and at a time when it was little able to bear it; still, upon the whole, a charge for the relief of the poor did commend itself to the sense of justice of the people, and the poor-rate had been paid cheerfully and with wonderful punctuality in those parts of Ireland where the people were at all able to pay. In proof of this, the Commissioners had stated in their last annual report that the loss had not been more than 2 per cent, and the arrears up to the last rates made had been only 6 per cent. But the whole system was founded upon the principle of making each district chargeable for its own poor. Many of the districts may have been made originally too large; but the system had been administered upon the faith of that principle. The rate was levied under the authority of the guardians who were the representatives of the ratepayers, and it was administered in a great degree under their supervision; and Irishmen, where the system had worked well, had learned, under the auspices of the noble Lord at the head of the Government, the constitutional principles, and the rights, and the feelings arising out of the constitutional practices of local taxation, local representation, and local administration. The noble Lord now proposed to exact from ratepayers the rate in aid, as a compulsory assessment for remote districts, in violation of the principle he had himself inculcated and taught of local representation and local taxation, and to have it paid into a general fund, to be admistered at the will of Government or the Poor Law Commissioners—whose administration, by the way, had not commended itself peculiarly to the good sense of the Irish people—in violation of the principle of local administration. There was not a ratepayer in Ireland who would not feel that this was unfair and unjust. There was not a ratepayer who would not feel that having administered the system faithfully, on the principle of local and self-government, it was unfair and unjust that while all other classes in the community were exempt, he should be obliged, in addition to the support of his own poor, to pay for the pauperism and the abuses in a distant part of Ireland which he had no share in creating. The hon. Member for Buckinghamshire had stated, in his eloquent speech the other night, that it was a dangerous thing to impress a class, even if it was a weak one, that injustice had been done to them by the Legislature in a matter of taxation. He (Mr. Hamilton) believed that such an impression would be deeply and permanently made upon the best portion of the population of Ireland, if this measure should become law; he thought the effect would be much more serious in that respect than was generally supposed; and he therefore objected to the measure on the grounds of its injustice. But in the Bill itself there were high and constitutional grounds for objection, independently of those connected with the sense of injustice and the violation of the principles of self-government. He doubted whether Parliament had ever before been called upon to give to a Commission the power of imposing taxation upon a portion of Her Majesty's subjects by a sealed order, and to vest the proceeds of that taxation in the same Commissioners, with a power of applying it nearly at their own discretion. The Bill states that it shall be lawful for these three Commissioners to fix and declare the amount, and to assess the same, by their sealed order, and to pay the same to such person or persons, and subject to such conditions, as the Treasury shall think fit, for the purpose of affording relief or assisting emigration. He would like to know whether such a principle would be tolerated for one moment in England. He would like to see the Minister who would dare to propose it. But he objected to the measure, also, because it would prove inadequate and delusive. If anything could justify so obnoxious and unconstitutional a tax, it would be the certainty of its being adequate and sufficient to accomplish the purpose for which it was intended. The rate in aid was expected to produce about 250,000*l.* He felt bound to say he doubted much whether it would be found possible to exact it. He believed it was almost a political impossibility to raise a tax which was based upon a general feeling of injustice. But even if it was raised, it would be found quite insufficient for the relief of the poor in the distressed unions. There were twenty-three unions in a pauperised state; the financial condition of nine of those twenty-three was given in the last papers laid on the table. He had gone over them carefully, and he found, estimating the liabilities and means at a very moderate calculation, between the present time and the next harvest, it would take 183,000*l.* to support the pauperism of those districts up to that time. Then there was the remainder of the twenty-three unions, and, besides, many electoral divisions in other parts of the country which would require assistance. He was very anxious to compress what he had to say as much as possible, and he would, therefore, allude very shortly to the other objections. The measure was calculated to aggravate all the evils of which the people complain in Ireland, and which had been found so embarrassing to England. The want of self-dependence and exertion—the want of industry, the want of an inducement and desire to improve, were the evils of the parts of Ireland which were now pauperised, and were in a great degree the causes of that pauperisation. But the condition of the north and east of Ireland was essentially different, and to what is that difference attributable? It was not attributable to the population being less dense; for if any hon. Member will take the trouble of examining the census, he will find that the population of many parts of Ulster is far more dense than that of Munster or Connaught. Neither was it attributable altogether to the larger size of farms, for there were nearly as large a proportion per cent of farms under fifteen acres in Ulster as in Connaught. But the difference was really attributable to the habits of self-dependence, and exertion, and industry, and improvement, which were the characteristics of the north of Ireland. In common with the rest of Ireland, the people of the north and east had suffered from a visitation of the heaviest description. By their energy and industry these are just now beginning to rise and recover from that calamity. By their good management they had avoided many of the evils incident to relief in the south, and they had drawn very sparingly from the public funds. On the contrary, in some instances subscriptions had been sent for the relief of the poor in the south and west. You are now going to tax them for the outdoor relief of the people of Connaught, where he feared great abuses had prevailed, and still prevail. Is this the way in which you reward the people of Leinster and Ulster for their industry and good management? And is this the mode of teaching the people of Connaught to emulate their example? He would like to know whether the rate in aid was to go in payment of advances made to the western districts under the Labour Rate Act? If so, or if any portion of those advances was to be exacted from the pauperised unions, it is clear that the improved parts of Ireland are to be taxed not only for the support of the poor in those western unions, but to pay the Government advances, and against that principle also he must raise his protest. The right hon. Gentleman the Member for Tamworth, though he had adverted very slightly, and with his usual caution, to the rate in aid, had intimated that there was an analogy in what he termed the principle of vicinage in England. He (Mr. Hamilton) had moved for a return, which had not yet been laid on the table of the House, of the number of instances in England, during the last ten years, in which a rate in aid had been made. He believed they would be found to be very few indeed. But at all events the principle of the rate in aid in England was essentially different from that which this Bill would establish for Ireland. The 43rd of Elizabeth certainly authorises the imposition of a rate in aid, but it is only upon the adjoining parishes or hundred, and within the county; and the rate so authorised to be made by the local authorities at their discretion—the justices at sessions. It therefore appeared to him that there was no analogy whatever between the two, and that no argument except indeed an argument against the Bill from the recognition in the English rate in aid of the local authority, could be founded upon the principle of vicinage in England. He felt assured that the effect of the Bill would be to endanger the good working of the poor-law system throughout the whole of Ireland. He had already stated, that in many parts of the country the system had been well administered, and the rate cheerfully paid. By the Bill before the House the Commissioners were empowered to put their hands into the pockets of the treasurers of the different unions, and to take out from thence this rate in aid—not to make a separate assessment for the purpose, but to take 6*d.* in the pound on the valuation of each union, whether that 6*d.* were collected or not, and regardless of the exigencies of the union, or the debts for which the guardians might be responsible. Now, although this might be a convenient mode of enforcing payment, he feared it would be found a costly experiment as regards the working of the poor-law system. Why, the inevitable effect would be to set the whole population against the whole system. He would say nothing as to the rate falling upon the small farmers at a time when they could ill afford to make any payment, and that in many cases this additional 6*d.* would have the effect of reducing a struggling union to pauperism. There were many electoral divisions even in the north and east just in that position. There were many cases in which the rate in aid would just have the effect of frustrating all their efforts to maintain themselves, and of reducing them to a state of insolvency. He further thought the Bill most objectionable in its principle, from the tendency it had to establish separate national interests between the two countries. Instead of dealing with the pauperised unions as portions of the united kingdom, you are dealing with them as portions of the kingdom of Ireland. His hon. and gallant Friend the Member for

Portarlington, on the very first night when the measure was proposed, had asked the question, was there a Union, or was there not? Hon. Gentlemen and noble Lords who pledged themselves to resist the repeal of the Union to the death, and who were supported in resisting it principally by public opinion in the north and east, had no right now to repudiate their union principles, and deal with Ireland on anti-union principles; and the consideration, he could assure the House, became the more serious when it is recollected that those by whom, in fact, the tax will be paid, are the very parties who supported you in resisting repeal. By passing this Bill, you will lose an opportunity of cementing the Union—of proving to the friends of the Union in Ireland that its principle is to be maintained in all things; and you will be creating a feeling and establishing an argument which, if carried out, even the friends of the Union must admit would, if fully carried out, lead to separation and repeal. He must say, that in the present state of things in Ireland, a different policy should have been adopted towards that country: a poor-law had been forced upon her, in deference to popular opinion in England, which she was not in a condition to bear—all former authorities, almost every Irish Member, had warned you of the consequences. He (Mr. Hamilton) had endeavoured, at the time, to point out the impossibility that the western counties could sustain any system of outdoor relief: he had warned the noble Lord at the head of the Government that the system in those counties would break down in six months. It was only necessary to look to the census of 1841, and the valuation, to feel sure on that subject. The noble Lord had said nothing then of a rate in aid. If hon. Members would only take the trouble of comparing England with Ireland, or any county in England with any county in Ireland, they could not fail to see the injustice of this additional charge on land in Ireland. In the first place it should be borne in mind, in comparing the two countries, that poor-laws in England had subsisted for centuries. When many of the arrangements between landlord and tenant—and settlements of property were made, the poor-rates were higher than at present. In Ireland, on the contrary, the poor-rate was altogether a new charge, pressing upon landed property already very heavily encumbered, and upon the occupiers of land, at a time when by your free-trade legislation, the value of agricultural produce had been greatly diminished. When hon. Members spoke of there being 5*s.* or 10*s.* rates in England, this difference was material to be considered—and when it is said that Ireland is not liable to an income tax, it should be recollected that land in Ireland is paying, in fact, a property tax to the poor of about 14 per cent. The two countries were differently circumstanced altogether, and it was absurd to apply the same rule of legislation to them. How different were their respective positions would appear from the following—

COMPARISON OF ENGLAND AND WALES WITH IRELAND, IN PROPORTION OF POPULATION AND VALUATION.

		For every 100 Persons.
England and Wales—		
Population, 1841	15,906,829	393*l.*
Valuation for poor-rate	£62,540,030	
Ireland—		
Population, 1841	8,174,268	161*l.*
Valuation	£13,187,421	
England and Wales—		
Estimated population, 1847	17,076,000	394*l.*
Valuation	£67,320,578	
Cornwall—		
Population, 1841	341,269	266*l.*
Valuation	£909,479	
Mayo—		
Population, 1841	388,887	77*l.*
Valuation	£299,851	
Wilts—		
Population	260,007	452*l.*
Valuation	£1,175,616	
Lancashire—		
Population	1,667,064	315*l.*
Valuation	£5,266,606	
Westmoreland—		
Population	56,469	470*l.*
Valuation	£266,335	
Leinster Province—		
Population	2,066,036	230*l.*
Valuation	£4,624,542	
Ulster Province—		
Population	2,362,132	140*l.*
Valuation	£3,320,133	
Erris—		
Population	22,773	47*l.*
Valuation	£10,822	
Clifden Union—		
Population	33,465	59*l.*
Valuation	£19,986	
Louth—		
Population	111,979	172*l.*
Valuation	£192,502	
Meath—		
Population	183,828	288*l.*
Valuation	£529,750	
Down—		
Population	361,446	126*l.*
Valuation	£455,713	
Armagh—		
Population	232,393	104*l.*
Valuation	£241,912	

Now, independently of poor-rates being an old charge in the one country, and a new one in the other, judge of the capabilities of the two countries by this comparison. But in England you have trade, manufactures, and capital to employ the people, and an habitually industrious population. In Ireland you have nothing of the kind, but an unemployed cottier population. Ireland has been visited with a calamity admitted to be unparaleled in modern times, the food of her people during three successive years blighted, and property to the extent of thirty millions annihilated; her farmers, also, made the peculiar victims of your English free-trade legislation. One would have said that under such circumstances, merely in an economical point of view, it would have been both wise and just to have cherished her remaining resources. Every pound, it should be recollected, which is expended in maintaining a pauper in idleness, is so much of the productive capital of the country annihilated. Is it for your interest that the productive capital of Ireland should be still further diminished? that the capital in the east and north, which is now engaged in affording employment, and stimulating industry, and increasing the wealth of the country, should be drawn away to the west, and there expended in maintaining the people in idleness? He should have thought that the wiser and the better course would have been to have settled the fiscal question between England and Ireland. We in Ireland think that we are paying our fair share of imperial taxation, according to the Articles of Union—you in England maintain that we are not. Let the matter be fairly investigated. If on such investigation it should appear that we are not, I promise you no Irishman will object to the imposition of such taxation as will set the matter right. That being done, look at the condition of the pauperised unions. Treat it not as an Irish question, but as a question affecting every individual in the united kingdom. Depend on it, it will require larger measures than any yet propounded to raise the condition of these pauperised unions; and the sooner these measures are adopted the better for the interests of the united kingdom. Leave them in their present state, and you cannot prevent the effect of their pauperism reaching yourselves. You cannot prevent the influx of Irish labourers into this country, and the effect which their low wages, or rather no wages, must have upon the condition of your own agricultural population. If you expect to cure this state of things by the application of a poor-law, you will be miserably mistaken; you should deal with these pauperised districts as a proprietor, with means at his disposal, would deal with a portion of his estate in which the poverty had detroyed the industry and property. What would the proprietor do in that case? Why, he would say to himself, this state of things must be altered, or the rest of my estate will be affected. It may require a large expenditure; but the sooner I make my mind up to incur it the better. I may have to make arrangements with my subsisting tenants, to purchase up their interests, if they do not possess the means of working their farms—I may have to employ a portion of the population in improving the land—or, I may have to provide for some of them by emigration. Now, he (Mr. Hamilton) called upon Englishmen to take this view of those parts of Ireland. Settle the question of taxation as between England and Ireland; if in Ireland we are not bearing our fair share of imperial taxation, put us on a proper footing in that respect, and then take a business-like view of the pauperised unions. The rate in aid is a mere futile, temporary expedient—increasing the general poverty of Ireland, and not removing it in the distressed districts: things in those districts, six months hence, will be as bad as now. Instead of those miserable expedients, take into consideration the plan of the right hon. Baronet the Member for Tamworth. It may be necessary to purchase up the interest of those landlords whom your measures have pauperised. It may be necessary to employ the ablebodied labourers whom your system is now feeding in idleness and encouraging to be idle, in improving and recultivating, so as to enable you to resell those estates. It may be necessary to get rid of a portion of the population by emigration. These and other measures may be necessary. For himself, he could only say, that if there was any assurance that Parliament would really deal with the question in earnest, if they would only deal with it as an imperial question, and apply to it the intelligence which the stimulus of self-interest affords, he, for one, would not differ with them on the subject of an income tax. He had himself no property in the west of Ireland; but he was sure there was no indisposition amongst the people of the east and north to submit to any fair taxation, provided the question was made an imperial one, affecting Englishmen equally with Irishmen—and provided there was really a determination to grapple with the difficulties. In confirmation of what he stated, he had within the last few hours received a copy of resolutions passed by the high sheriff and grand jury of the county of Antrim, which he would read to the House:—

> "Resolved: That inasmuch as great misapprehensions and difference of opinion prevail in reference to the fiscal relations between Great Britain and Ireland, and as statements have been made frequently both in Parliament and elsewhere, that Ireland is not at present bearing her just share of imperial taxation, which statement we believe to be unfounded, having reference to the abilities of the two countries, and the Articles of Union, it would be most desirable that means should be taken to have this important matter properly investigated and adjusted, involving, as it does, questions of considerable delicacy and jealousy.—Resolved: That for this purpose, an Address be prepared and presented to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a Commission of honourable men to inquire into and report upon this subject; and a petition to the same effect be presented to the Commons.—Resolved: That while we implore the Legislature not to press forward and pass into a law so unjust and impolitic a measure as a rate in aid, on the more industrious districts of Ireland, to relieve the distressed portions of the west and south, the amount of which we feel confident would be quite inadequate to meet their wants, we declare there is no indisposition on our parts to bear our fair share of imperial taxation; but, on the contrary, it is our anxious desire, both as a matter of justice and sound policy, that a thorough union, founded as well upon fiscal as political and social equity, and constituting to all intents and purposes the united kingdom of Great Britain and Ireland one realm, should be established and maintained."

These were the sentiments, he believed unanimously, of the Antrim grand jury. He (Mr. Hamilton) would conclude, by repeating that he objected to the rate in aid, because it was dealing with Ireland on provincial principles—on principles which you would not think of applying to England, and which, if carried out, would lead to separation and repeal; because it is condemned by your own witnesses—because it is delusive and insufficient—and, because in his conscience he believed it to be unjust. He, therefore, moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Mr. CORRY seconded the Amendment upon the principle that the Bill was as objectionable for two years as it would be for twenty. He observed, that this Bill had been defended on the ground that the principle of taxation it proposed to establish was similar to the principle in force in this country; because, in England, when a parish was unable to support its own poor, the principle of a rate in aid was applied. That was, however, a very different matter from the principle embodied in this Bill, which would require the inhabitants of peaceable and industrious districts to contribute to the relief of persons residing in distant parts of the country, to whose destitution they had in no manner contributed, and over the management of whose affairs they could have no control. He was ready to admit that Ireland ought to contribute her fair share, in proportion to her means, to the imperial revenue; but he maintained that the Government had no right to call upon Irish Members to assent to the principle of this Bill on the assumption that they were not sufficiently taxed. It was true that Ireland was exempt from certain taxes which pressed heavily upon the industry of this country; but he had never understood that Ireland owed the exemption to the partiality and forbearance of the English Legislature. He believed the exemption arose either from the supposed inability of Ireland to contribute to such imposts, or from the circumstance that the taxes were inapplicable to that country. He might be asked why he had voted in favour of the Motion of the hon. and gallant Member for Longford, to substitute an income tax for the rate in aid? He had done so because he considered the proposal of the hon. and gallant Gentleman the least objectionable of the two alternatives. The income tax was not liable to the objections in point of principle to which the rate in aid was obnoxious; it would fall, not upon the poor ratepayer, but on the owners of property, and he would advise the Irish landed proprietors to accept an assimilation of taxation between England and Ireland, which might entitle them to look to the Consolidated Fund for assistance, instead of being subjected to a rate in aid. He believed that if the principle of a rate in aid had been attached to the amended Poor Law Act of 1847, the landed proprietors in Ulster and Leinster would have been absolutely ruined, from having been compelled to contribute to relieve the extensive destitution which had existed in Ireland. The noble Lord at the head of the Government had said that he did not think it would be necessary to continue this measure in operation for more than two years, because he anticipated that the return of more prosperous times, and the emigration of a portion of the people, would remove the existing pressure. He (Mr. Corry) found, however, from evidence collected by the Poor Law Commissioners on previous occasions, that the people in many districts had suffered privations little, if at all, less severe than those under which they had lately been suffering; and he did not believe any serious impression would be made on the population of Ireland by emigration unless the question was taken up by the Government. He opposed this measure because he thought it most unstatesmanlike; it would make the whole of Ireland one gigantic union, and would remove that stimulus to endeavouring to keep down the rates, and to improving the condition of the people, which would have resulted from adopting a diminished area of taxation. He did not think the measure would have any effect on the loyalty of his constituents. They might feel that no Minister would dare to persevere in applying to England a tax so distasteful to the people of that country as this tax was to the Irish people, but he did not think their desire to maintain British connexion, or their loyalty to the Crown, would be weakened. Thinking the measure most unjust and oppressive, he should oppose it by every means in his power.

SIR W. SOMERVILLE observed, that his hon. Friend who had moved the Amendment said, that he felt for the distress endured by the people in the south of Ireland; and his right hon. and gallant Friend who had just sat down had proposed to give them no aid whatever. His right hon. and gallant Friend the Member for Tyrone had declared it to be a hard thing that the industrious people in the north and east of Ireland should have to take care not only of their own poor, but also be called upon to contribute from their small incomes to the distressed persons in Connaught; but, in saying this, he looked in vain for any indication from him as to what was the quarter from which the funds were to come for those who were distressed. His right hon. and gallant Friend had, indeed, said that if Ireland were not taxed in accordance to her means, the question as to her paying the due proportion to the taxation of the empire might be submitted to a Committee; and in the event of that Committee reporting in a particular manner, then he would submit to an additional share of taxation. The hon. Member for the University of Dublin proposed an investigation which would occupy a great deal of time; but then the hon. Member should recollect that this was an emergency—that there was an absolute necessity at once to stay famine in these districts; and the question was how was this to be best done under the circumstances in which they were placed? To say, then, at such a time that there should be a Committee of Inquiry into the taxation of Ireland was blinking the question. He asked his hon. Friend if the income tax was not a new tax? Was it imposed upon Ireland? He remembered well when the right hon. Baronet the Member for Tamworth first proposed the income tax. He (Sir W. Somerville) was sitting, with some of his fellow-countrymen, in breathless anxiety to know if Ireland was about to be subjected to that tax; and he did remember, as if it were only yesterday, what a murmur of approbation rose from his friends when the right hon. Gentleman announced that it was not his intention to apply the income tax to Ireland. Remembering that circumstance, he must say that he little thought that he should ever have seen the day when Irish Members, to escape a rate in aid—which rate in aid was to support the suffering poor in the west of Ireland—he little thought that, in their anxiety to escape that, they would have clamoured for the imposition of the income tax. [*Cries of* "No, no!" *from Irish Members on the Ministerial benches.*] There might be some hon. Gentlemen who were not very clamorous for an income tax; but certainly, in what he had said, he did not wrong the hon. Gentleman who proposed and seconded the Amendment. [MR. HAMILTON explained.] In reply to the remark that the funds to be raised under this Act were to be administered by strangers and not by local boards, he was prepared to say that in no single case in which the guardians had been removed by the Poor Law Commissioners, were they not fully justified in doing so? There was not a single instance in which a guardian had been removed that he was not prepared to justify. Great stress had been laid on the fact that it was a hardship to ask the industry of Ulster to pay for the pauperism of Connaught; and he was asked what had Ulster to do with Connaught? His belief was that Ulster had a great deal to do with Connaught. He believed that Connaught could not be in the state in which it now was without its spreading abroad, and rendering every part of the country in which it occurred suffering. It was impossible for Ulster to blow hot and cold on this subject. If it claimed an exemption from the income tax on the ground that it was part and portion of a poor country, surely it would not in the next breath say, that because it was affluent and independent, it was not to be called on to pay anything at all? As to the landlords of Connaught being pauperised by measures of that House, or by the new poor-law, he must say, with all due deference, he did not believe it. No measure of that House, and no poor-law, had pauperised these landlords. He believed that the present dreadful state of things was to be attributed to the failure of the potato crop—a crop on which the whole social fabric of that unfortunate province had been founded, and on the failure of which the whole fabric fell to pieces. It was that which caused the distress of the poorer classes, and the pauperism of the landlords. Such was the real cause of both, and not any measure that had passed that House. His right hon. and gallant Friend the Member for Tyrone had remarked upon the fact that there was no clause granting a rate in aid added to the Bill of 1847. No such clause had been added; but when distress did arise, neither the people of this country nor the Government had been backward in affording aid to the distressed districts in Ireland. This having been done, he then considered, as an Irishman, that the time had come when an effort should be made by Irishmen to assist themselves. And then came the question, which was the best mode of doing so? As an Irishman, he preferred the rate in aid to an income tax. His hon. Friend had referred to the state of Ireland in 1835, and asked, was it the aim of the Government to bring back that state of things? It was in the endeavour to mitigate the severity of that state of things that the poor-law was enacted; and his belief was now, and always had been, that the measure of 1847, for relieving the poor out of the workhouse, was a measure of absolute necessity. If the present poor-law machinery had been in operation prior to 1847, by which to distribute the funds which were at the disposal of the Commissioners, a large amount of money might have been saved. Supposing, then, that they were agreed that it was not too much to ask of the people of Ireland to come forward in some way or other and contribute towards the relief of the distress prevailing in the western districts, all they had now to decide was, as to the best mode by which assistance might be rendered. It should never be forgotten that this rate in aid was a temporary measure, and that it was intended to meet what he had every reason to hope would prove but a temporary calamity. His hon. Friend who led the opposition to the Bill under consideration seemed to be in favour of Government assistance to emigration; whilst his hon. Friend who seconded him appeared as decidedly opposed to Government assistance; and he must say that the latter hon. Gentleman used what was rather an extraordinary argument in reference to emigration against the present measure. The hon. Gentleman said, that by coming forward now and asking for extraneous means of support for the population in the distressed districts, they were, in fact, placing obstacles in the way of the free emigration of the people; because if they once entertained the notion that they were to be fed at home, they would not care to exert themselves that they might emigrate. But that afforded no answer whatever. His (Sir W. Somerville's) reason for preferring the rate in aid was, to prevent English taxes from being extended to Ireland. It was not the fact that Ulster was not concerned in this question; and if the measure were urged upon union principles, he would remind them that they had been exempted from a number of those taxes which at this time weighed upon and oppressed the people of this country. There might be some of his countrymen who preferred the adoption of an income tax for Ireland; but he believed that, if the Government had in the first instance proposed an extension of the income tax to Ireland, they would have been met with as large, if not a larger, amount of opposition than they had had to encounter upon the present measure.

Viscount JOCELYN said, that, in rising to support the Amendment of his hon. Friend the Member for the University of Dublin, he was anxious to state the grounds upon which he had come to the conclusion to give his vote against the measure of the Government. He would, however, at once distinctly state that he was not one of those who were opposed to that fair and just increase of taxation which the British Parliament might feel itself justified in imposing upon the people of Ireland, if it thought that they did not now pay that portion which they were really able to contribute; but he objected to the measure before the House because he considered it to be unjust in principle, and inefficacious for the object which the Government had in view. He believed that those temporary enactments which had passed this House in the course of the last few years, although many of them originated in some of the most generous of motives, and for which a deep debt of gratitude was due by the Irish people, had at the same time rather tended to foster and encourage some of the worst features in the character of the Irish people, whilst they had been a serious drain upon the finances of the empire. For his part, he thought that it was with the root of the evil that they ought to deal; that instead of the symptoms they should attack the seat of the disease. And it was with this opinion that he was sorry to hear the right hon. Baronet the Secretary for Ireland hold out what he feared was but a delusive hope, that the present was a merely temporary measure to meet a temporary difficulty. He believed that the right hon. Baronet and those with whom he acted were as alive as any Members in the House to the fact that a social revolution had already commenced in Ireland; that it must be accompanied by great pain and struggle, and that the result of that revolution might tend to the permanent benefit of Ireland; but then that result could only be attained by stimulating the self-reliance and energies of the Irish people themselves, by the adoption of a wise policy on the part of the Imperial Government. Before voting a sum of money from the public treasury, he conceived they had a right to be satisfied that the people of Ireland were prepared to contribute their fair proportion to the exigencies of the State, and that the measure now under consideration was one likely to ensure that those drains should not continue to be made. But he could not see that those two points were effectually met by the Bill. He objected then to the measure of the Government, because he believed it was most unjust to call upon one distinct portion of the empire to contribute to the exigencies of another distinct portion of the empire. He was of opinion that it would act injuriously as far as regarded the self-reliance and exertion of the people; that it would tend rather to increase than diminish Irish pauperism; and that any measure like this, so totally adverse to the feelings of the majority of the people of Ireland, could not be carried out beneficially. Where was the justice of a measure which called upon the industry of Ulster and Leinster to contribute to the relief of the pauperism of Munster and Connaught? If such a principle was right for Ireland, it was equally right for England; but would it for one moment be considered by the people of this country to be a just proposition to call upon the inhabitants of Yorkshire, for instance, to contribute to the relief of the destitution of Dorsetshire or Hampshire? There were districts where the rate was 16*s.* or 17*s.* in the pound; when this Bill was passed, and they were reduced to 6*s.* or 7*s.*, the surplus was to be paid out of the general fund. Would this be an inducement to diminish or control the expenditure? This would rather be an inducement to expense. He believed the effect of this measure must necessarily be to discourage exertion and self-reliance on the part of the Irish people. It would take away from the people of Ireland all control over local taxation, and he should not wish for stronger arguments to show how necessary that local control was, than those which were afforded him by the speech of the right hon. Gentleman the Chancellor of the Exchequer, a few nights ago, in reply to the speech of the hon. Member for Buckinghamshire. He must say that he never heard a speech which showed more fully and ably how important local management and control over local taxation was than that speech of the right hon. Gentleman. The measure, as now proposed — fixing, as it did, the maximum rate—would be an inducement to incur expense; for when the maximum should be reached, and the land had become depreciated by that amount, the surplus would have to be contributed from the general fund. He did not mean to say that the measure would make the Irish people disloyal subjects; but it was certainly calculated to raise in the minds of many questions which, perhaps, it would be better to have left at rest, and people would be disposed to ask themselves whether it was likely that, in a similar emergency, such a measure would be propounded for England; and they knew very well that it would not. He was also of opinion that the measure would, and must, press most severely upon the smaller class of farmers in Ulster, whose industrious habits had hitherto enabled them to resist burdens to which they were unaccustomed, and who were a body of men who ought to be valued and cherished. Small as was the rate now proposed, yet as, in the words of the old adage, it was "the last straw that broke the camel's back," so, he believed, the effect of the present measure upon this class of occupiers would be to drive them into pauperism, and thus a class of men would be destroyed whom they would find the utmost difficulty in replacing. It had lately been his duty to act as foreman of the grand jury of the county of Down, and in that capacity he proposed to them a petition in opposition to the measure of the Government; but at the same time distinctly stated that he himself could be no party to such a petition, unless it set forth that they were prepared to bear their fair proportion of the burdens imposed upon the empire generally. Now, there were men of all political opinions and religious creeds upon that grand jury, but not one dissentient voice was raised against his proposition; and the petition had since been presented to this House by the hon. Member for Down. Whatever might be the fate of this Bill, there were other measures which must yet come under the consideration of the House. He was convinced that it was utterly impossible to rest satisfied that this would meet the present exigencies of Ireland. They knew the condition of that country to be this—that pauperism was rapidly increasing—that large tracts of fertile land were thrown out of cultivation—that land was held by individuals who were incapable of performing the duties of proprietors—that the land had been thrown out of cultivation, not for want of labourers, but for want of capital to employ labour—and that the mass of labour was so great there that it had become lowered in value far beneath what it ought to be. They knew also that they had a people to deal with whose character was to look to extraneous aid, to doubt their own exertions, and not to rely upon their own industry. These were the difficulties with which Parliament had now to deal, and which they must deal with ere long, if they were really desirous of improving the condition of the sister island. The present seemed to be the moment when they had the opportunity of improving the condition of Ireland, and of doing it more effectually than for many years past. The potato, to which for so long a period the Irish people had looked for a livelihood, had almost entirely failed, and the attachment with which they clung to the land as the means of producing that article of food, did not now exist to the same degree as formerly. By the pressure of the poor-law upon the proprietors of Ireland, there were many men who had been and would be forced to part with that property, the duties incident to the possession of which they were unable to perform. There was at the present moment a cessation of political and religious strife in Ireland, and on account of the misery they were enduring, men were joined together in one common bond of union. Was he wrong, therefore, in saying, that now was the time when they might legislate with effect, if they were prepared to legislate upon great and sound principles? Whatever measures might be proposed by the Government, it was not in this House that they would encounter any opposition, if they were measures of an enlarged policy, and promised to give effectual relief, and to place Ireland in a permanently improved condition. Even although those measures might call for a large public grant, provided they held out a prospect of permanent improvement, he did not believe that it was in this House they would meet with opposition. But whatever were the measures to be propounded by the Government, he trusted that they would not forget that the value of those institutions which they so justly and so dearly prized was in that local management and control which the measure under discussion would certainly take from the people of Ireland.

Mr. FRENCH denied the right of the Secretary for Ireland to taunt those who, on principle, objected to the second reading of the Bill then before the House—with standing between the Irish people and relief. Was the Bill of the importance he sought to attach to it, or was the necessity for it of the urgent nature he described, why had it been hung up for the last fortnight, and postponed for the consideration of the navigation laws? Why, if the measure was for the country a desirable one, was it necessary to threaten Irish Members with the alternative of an income tax if they declined? They very properly refused to countenance legislation which professed to relieve the country by an accumulation of public burdens, without a single measure to enable them to be borne, and the Government, in place of meeting their reasonable objections, announced an income tax in reserve. He was prepared to support a revision of Irish taxation, and if they were not taxed in the same proportion this country was, he was willing that the deficiency should be supplied by an income tax; but at that moment he was not prepared to admit that Ireland was under-taxed, or that any undue favour had been shown. The income tax had not been extended to Ireland; but the right hon. Baronet by whom it was introduced, had taken in an increased stamp and spirit duty, which he declared to be a full equivalent: eight millions out of the thirteen millions of rental in Ireland did pay income tax, as it came to their absentees or the holders of mortgages on Irish property by persons resident in England. The right hon. Gentleman the Secretary for Ireland had accused him of disapproving of the manner in which the poor-law in Ireland had been administered; to this, in common with all his countrymen, he at once pleaded guilty, and he was prepared to show that the conduct of the Commissioners had been arrogant and insulting to the gentry, and oppressive to the ratepayers—that under this management and that of their vice-guardians, the system had been more expensive and less efficient—and that they had most shamefully neglected the interests of the most helpless class in the community, that of the sick poor, which Parliament had most unfortunately confided to them. He agreed with his hon. Friend the Member for the University of Dublin, that this Bill was unjust, impolitic, ungenerous, and unwise—that it was dangerous as a precedent, while as a measure for relief it was valueless—and that it would tend to divide in place of consolidating the interests of the two countries. Its value as a measure of relief might be judged of from the fact, that if collected it would not produce 200,000*l.*, whilst last year eight unions in Connaught required extra assistance to the extent of 160,000*l.*, and this year would require a still larger sum. This was over and above the rates that could be raised, and there was no lack of severity in levying them—in many cases the last blanket belonging to a family was torn from them and sold for poor-rates. This measure was endeavoured to be palmed upon the House as one of humanity, to which it had not the slightest pretension. It was a mere temporary prop to a system most unwisely and unjustifiably persevered in by Her Majesty's Government, in defiance of Ministerial pledges, official reasoning, and universal condemnation. The 50,000*l.* grant, and the Bill then before the House, were, he understood, unequivocally condemned by their late Poor Law Commissioner, who declared them to be almost a mockery of the distress existing in that country—to be little less inhuman than poisoning the gruel which the people were to be fed on. Would English Members consent to uphold by their votes a system which, if continued, must annihilate whatever capital it had left remaining in the country—a system which, if continued, must demoralise every portion of the people it had left untainted, and involve every interest in the country—landlord, tenant, merchant, manufacturer, clergy, and laity in one common and inextricable ruin? He regretted the course pursued by Her Majesty's Government. In this country, on the question of an income tax, they had once yielded to the expression of public opinion—why should the voice of Ireland be disregarded? Every portion of the country had recorded its dissent to this measure, and still it was persevered in. Were Irishmen to feel that the right to justice was to depend on their right to enforce it? How did the House act in 1847? They threw a burden on the land of Ireland which the Imperial Treasury, at a cost of seven millions sterling, had found itself unequal to cope with, and this they did in defiance of the pledges given by Ministers on the introduction of the poor-law into Ireland. What was the opinion and declaration of Ministers one year before they came forward with this measure of outdoor relief? The Marquess of Lansdowne declared outdoor relief to be a system of vicious character, which, if adopted, must lead to the confiscation of the property of Ireland. Lord John Russell, in 1846, stated he did not expect such a law would relieve the miseries of Ireland, and that, in place of remedy, it would tend to perpetuate that misery. Mr. Twistleton said it would be a fatal step to introduce outdoor relief to the ablebodied paupers in Ireland. Mr. Nicholls stated that outdoor relief would not only diminish the value and destroy the security of property in Ireland, but would demoralise the whole labouring population, by leading them to depend on the rates instead of their own exertions. Mr. Cornewall Lewis said, the introduction of outdoor relief would be a most disastrous measure. I believe that, in a few years, however carefully guarded the law might be, however trustworthy and intelligent the administration of relief, it would absorb all the surplus produce of the soil, and deteriorate the condition of the persons for whose benefit it was introduced—it would impoverish the rich without improving the condition of the poor. Mr. Senior said, that if outdoor relief was introduced into Ireland, it would in ten years produce in that country all the evils produced in this in three hundred, and would amount to an entire confiscation of Irish property. Mr. Gulstone said, that outdoor relief would rather aggravate than diminish mendicancy, and that he had no hesitation in pronouncing his decided opinion, that anything approaching to it would very soon swamp the whole property of the country. The deserted mansions, the empty shops, the levelled cabins, and the neglected fields throughout Ireland, testify the accuracy of these predictions. The Irish have been declared incapable of managing their own affairs—a power was vested in nominees of Government to tax to an unlimited extent the property of the country. In thirty-five unions the Commissioners dismissed the guardians, and sent their paid officers to undertake the management, who were rapidly involving them in ruin and demoralisation, Out of nineteen unions in Connaught, fifteen had their elected guardians dismissed. In the four that were left, the average amount of expenses on the entire valuation for twelve months, up to the 29th of September, 1848, was —Ballinasloe, 2*s.* 1¾*d.*; Manorhamilton, 2*s.* 3*d.* ; Sligo, 2*s.* 10½*d.* ; Swinford. 5*s.* 9¾*d.*; whilst in the unions under vice-guardians it amounted, in Westport, to 14*s.*; in Ballina, to 10*s.* 11*d.*; in Castlebar, to 10*s.* 7*d.*; Ballinrobe, 8*s.* 10*d.*; in Clifden, 1*l.* 4*s.* 4½*d.* in the pound. The amount of rate collected was, in the four undissolved unions, fifty thousand and sixty-two pounds; whilst in the fourteen dissolved ones it was only a hundred and thirty-two thousand six hundred and ninety-two pounds. The grants from Government and the British Association were, to the four undissolved unions, but three thousand one hundred and ninety pounds; whilst to the fourteen dissolved ones, they amounted to one hundred and ninety-six thousand five hundred and twenty-one pounds. The number obtaining relief was in the undissolved unions in Ballinasloe, one three-tenths per cent of the population; in Manorhamilton, one three-tenths; Sligo, three one-tenths; Swinford, four three-tenths; whilst in the dissolved unions it amounted in Ballina to nineteen sixteenths; in Carrick to seven teensix-tenths; Ballinaroe to twenty eight-tenths; Clifden thirty-seven three-tenths. He trusted he had shown the House that his dissatisfaction at the working of this unconstitutional system was not unreasonable. Mr. Power, the Poor Law Commissioner, stated that in one union in Ulster, in seven unions in Munster, and in fifteen unions in Connaught, the failure of the poor-law to relieve distress had been absolute and undeniable; and to meet this state of affairs the sole measure brought forward was this contemptible sixpenny rate in aid. He wished to call the attention of the House to the state of the workhouses. He held in his hand a schedule of thirty-five unions, taken indiscriminately, which showed that their inmates amount to eighty-three thousand eight hundred and two—an increase within the preceding six months of thirty-five thousand two hundred and ninety-seven—which, taking the average of the houses at a thousand and fourteen, would show an increase in all the workhouses in Ireland of a hundred and thirty-three thousand two hundred and thirty-six. He could not ascertain the number in hospital for each of these thirty-five unions, for want of returns; but he had returns of twenty-five of them, which show there are in hospital seven thousand one hundred and fifty-two patients—an average of two hundred and sixty-eight to each, or thirty-seven thousand three hundred and sixty-seven to all the ten houses, being an increase of twenty thousand three hundred and thirty-seven since July. The mortality of 1848, in fifteen of these unions for one week amounted to three hundred and fifty-seven. Startling as this mortality must appear, it was not to be wondered at when they heard of such facts as in the Skibereen workhouse, that five hundred girls spend the day, dine, and sleep in the girls' school-room, twenty-seven feet by forty-two; that in the bath-room, nine feet by sixteen, 170 men and women spend their entire time in endeavouring to feed and sleep with space barely enough to stand; that 500 to 600 persons have been in the house for a fortnight without getting the house dress, retaining still their filthy rags; that the air in the apartments was intolerable; that many have not changed their linen for the last month; that disease is much increased; and that in the infirmary, in each bed, the number varies from two to six. The doctor has frequently reported that the state of the house endangered the health of the inhabitants of the town, who are in the greatest alarm from the consequences of any outbreak of epidemic in the workhouse. In the Ballinrobe workhouse fever hospital the water and mud are ankle deep on the floors, and after a single shower of rain but one bed in fifty escapes a thorough drenching. In the Castlerea workhouse, and its auxiliary at Willgrove, 500 sick in measles, smallpox, dysentery, &c., are scattered through the infirmary hospitals, sheds and outhouses—children in dysentery being three in a bed. The coffin contractor of the Ennistymon workhouse has supplied over 270 coffins within the last two months! The number in the house is not over 1,000, so that more than one-fourth of the inmates died away in that short space! In the Kinsale workhouse there were 27 deaths in one week; and of 1,900 inmates in Armagh on the 27th of February, 1849, there were 195 in hospital out of 1,175 inmates. In the Parsonstown union, February 29, 1849, the doctor reports a continued increase in mortality, particularly amongst the children, at which he is not surprised, as 136 persons, including nurses and children, were confined in a nursery 50 feet by 21, in which it was not possible to secure proper ventilation. In the Carlow union, February 23, 1849, the doctor reports there was not sufficient accommodation for the sick; the infirmary was built for a workhouse which was suited for less than 900 paupers, but which now contains 2,376. In Middleton, in Nenagh, and in several other unions, similar reports have been made; in Nenagh, in thirty-four deaths recorded in one week, there was an inspector, wardmaster, porter; and several other officers were ill of fever, owing to the state of the house. A very intelligent writer in the *Spectator*, who visited Ireland last winter, thus describes one of the western workhouses:—

> "The workhouse, I believe, is six years old, and has all that peculiar appearance of misery that belongs to a building partially dilapidated, and yet not quite finished; the windows are broken and unglazed, the fire places imperfect, and the walls unplastered. The yards dirty, and littered with straw, were surrounded with slight wooden sheds for the reception of the sick; the house was designed to contain 1,000 inmates. I was told at the time of my visit that the number of inmates on the books, including those in the auxiliary house, was 3,272; but I doubt much whether any one knew the exact total within 200 or 300, as I learned upon inquiry that no dinner or night roll was called, or any other effectual means adopted for obtaining an exact account of the fluctuating mass of human misery. It was, however, pretty well known that the sheds and wards contained 500 sick labouring under dysentery, fever, smallpox, and measles; besides which there were innumerable cases of scald head, itch, and other cutaneous diseases. I saw many of the sick, including dysentery patients, three in a bed. The mortality, I was told after, amounted to forty in the week. In the wards for idiots and for orphan children (many of the latter being apparently not more than two or three years old), there was neither nurse nor fire-screen; but the latter was scarcely needed, as the handful of smouldering turf-embers, around which the inmates of the wards crouched, was insufficient to inflict any material injury upon them. The dormitories for paupers not in the sick wards or sheds presented a strange appearance—in none of them was there a semblance of a bedstead. They consisted of galleries divided longitudinally by two partitions of wood open at the top, and leaving a passage between them end to end. In each of the long narrow apartments thus formed, there was a raised ledge or stairs upon either side, about five inches high, and extending the whole length upon which the paupers sleep promiscuously like dogs in a kennel; a quantity of bed-clothes lay upon these ledges folded up, and these, as well as the floor and walls, were much cleaner than might be expected."

Had the Commissioners taken any steps now to ensure fiscal economy? Not one. Hospital relief, of course, was considerably higher than the ordinary cost of healthy workhouse patients, even under the best and most stringent regulations: what must it be when subject to no control of any kind? It formed a most important item in poor-law taxation, and no steps were taken to render it either efficient or economical. The consequence was, it varied in a most incomprehensible degree. In Ardee the cost per head each week was 1*s.* 2¼*d.*; in Drogheda, 3*s.*; in Enniscorthy, 1*s.* 3*d.*; in the fever hospital in Fermoy, it was 3*s.*; in Cork, 9*s.* 11*d.*; in the South Dublin union, 6*s.* 5*d.*; while in the Cork fever shed, 12*s.* Some idea of the abuses might be formed from some of the published reports. The finance committee of the North Dublin union report—

> "That there are great irregularities in the dietary of the infirm wards, that the hospital dietary books contain the names of discharged patients; a vigilant supervision might have prevented the considerable apparent addition to the sick list of the hospital, and the consequent falsification of dates which may hereafter be used for statistical purposes."

The Committee were constrained to animadvert in strong terms on the very unsatisfactory manner in which the hospital dietary books are kept; names inserted by unauthorised persons, rare entries of diseases in the allotted columns, no notification of the number of days for which extra diet was to be continued, no arrangement, care, or responsibility with regard to provisions and articles for hospital use; meat, on a daily average of 100 lbs., handed in bulk to the daughter of the cook; 400 to 500 eggs given daily by a contractor to the same female, who keeps in either instances no accounts; the apothecary receives wine, spirits, porter, tea, sugar, but keeps no account of their disbursements, merely transferring them to the nurses; the result being, that (as was proved on oath) eggs were sold in the house four a penny, wine at four ounces a penny, and bread at one halfpenny per pound; and that the hospital extras for the month of June, 1848, cost 233*l.* 10*s.* 9*d.*, while the same charge, for the same period, at the South Dublin union, was only 68*l.* 18*s.* 10*d.*, or at the rate of 827*l.* 6*s.* per year. From a report upon the Wexford union fever hospital, dated in August last, we gather that—

> "The supervision of the supply of food is very defective, leaving opportunities for considerable waste; there is no fixed dietary nor dietary book; bread, milk, &c., are taken in without entries being made of the quantities given out to the nurses, who give no vouchers in return; the medical officers give mere verbal directions to the nurses with reference to diet, while the nurses give, with the sanction of the medical officer, such food as they (the nurses) deem to be fit. Some patients are ordered thirty ounces of wine and twelve ounces of whisky daily, and so on."

The summary of this report records that, for four consecutive months during which the average number of patients in hospital was 132, there were consumed 1,980 bottles of wine, 1,524 bottles of porter, 58 gallons of whisky, and 40 gallons of beer; while, on comparison with other fever hospitals, it was ascertained that during the same period there were consumed in Cork-street fever hospital (with an average of 162 patients), 333 bottles of wine, 785 pints of porter, no whisky, no beer. In the Kilmainham fever sheds the average numbers of patients being 229, 1,220 bottles of wine, 2,425 pints of porter, 16 gallons of whisky, and 7½ gallons of brandy. It was difficult to estimate the amount levied for the maintenance of such poor in the workhouse: taking it on an average of 2*s.* 2*d.* per head each week, it would amount to 210,500*l.* a year; but this is much too low a figure, and probably 300,000*l.* would be nearer the mark, in addition to which has to be added the cost of the fever hospital and dispensaries, lately put under the poor-law—the patients in the first class averaging fifty thousand annually—in the latter, half a million. In the lunatic asylums, which contained but 6,000 patients, Parliament insisted on having two medical inspectors; but their humanity appeared exhausted in attending to the insane—the sane might be left to perish by thousands. The hon. Member concluded by imploring English Members, by their votes, not to uphold a system which party feeling would not allow anybody in the House to suffer for an hour in England.

Mr. W. FAGAN said, that in a former debate he had merely given utterance to his own feelings and opinions in supporting the Government measure; but since then he had received letters from some of his most influential constituents, all approving of the course he had taken, and stating that the general feeling of the people of Cork was in favour of the rate in aid. It was true that there had been no public meetings; but people seldom met to petition in favour of a new tax. However there had been no meeting against the rate; and if one had been convened, he felt convinced that the result would have been somewhat similar to what had taken place in Carlow. His constituents were opposed to an income tax, and for this reason, that they had no income on which it could be levied. His constituents also held the opinion, which he was happy to find entertained by hon. Gentlemen opposite, that imperial resources ought to be applied to the relief of Irish distress. The noble Viscount the Member for Lynn Regis had propounded the doctrine of self-reliance as the only true remedy for the evils of Ireland; but he (Mr. Fagan) maintained that this was not the time, when the people were dying of starvation, to talk to them of the virtues of self-reliance. In the noble language of that admirable man the ex-Poor Law Commissioner, Mr. Twisleton, whose services he regretted Ireland had now lost, the lives of the people who were dying of starvation ought to be maintained at all hazards. It was to effect that humane end that he (Mr. Fagan) now gave his support to this proposition of Her Majesty's Ministers. He supported this rate in aid, because he believed it would preserve the lives of 200,000 or 300,000 of his fellow-countrymen, who were dying of starvation. The noble Viscount the Member for Lynn Regis had spoken of the social revolution at present in operation in Ireland. How was it to be met? They must either bring the population down to the capital of Ireland, or raise the capital to a level with the population. Did they intend to bring the population down to its capital, by letting the people die of starvation? That could not be the intention of the noble Lord —he was too good an Irishman to propound so dreadful a doctrine; but if he (Mr. Fagan) were to judge of men by their acts, it certainly was the doctrine of many connected with Ireland to bring down its population to its capital, and not to raise its capital to its population; and he could not help thinking that the opinion of some of the leading statesmen of this country was, that the only remedy for the present unhappy condition of Ireland was, to let matters take their own course. But such a doctrine was unworthy of a great people—it was unworthy of that great House of Commons; and he did hope that no desire to protect the landed proprietary of Ireland from the imposition of a sixpenny rate would induce the House to consent to the Amendment proposed that evening, for the purpose of defeating this measure of relief. He did not think that the equalisation of the capital and the population of Ireland was to be effected by emigration or colonisation. But he would not enter into the discussion of that quession now; he should have a future opportunity of doing so; but he could not help saying that the proposition of the right hon. Baronet the Member for Tamworth, with regard to the plantation of Connaught had produced the greatest satisfaction in Ireland. Indeed, he (Mr. Fagan) trusted that other portions of Ireland, besides those alluded to, might receive the benefit of the right hon. Baronet's statesmanship. His (Mr. Fagan's) hon. Friend the Member for Roscommon, who was a determined enemy of the Irish poor-law, had that evening, as was his wont, attacked the administration of the poor-law in Ireland. He (Mr. Fagan) was the oldest Irish poor-law guardian in that House, and he could conscientiously say that the Irish Poor Law Commissioners had displayed more anxiety than the poor-law guardians to relieve the necessities of the people, and to carry out the Irish poor-law in a proper manner. The testimony of that admirable and humane man, Mr. Twisleton, was conclusive upon that point. The benevolence and humanity displayed by that gentleman were sufficient to immortalise his name in the memories of the Irish people. The gentry of Ireland and that House had treated him most unjustly. The hon. Member for Roscommon had spoken of 160,000*l.* being due for poor-rates in the district with which he was connected as a reason why this measure should not receive the sanction of the House; but he (Mr. Fagan) considered that very fact to be a strong argument in favour of this rate in aid. The hon. Gentleman had admitted that in his part of Ireland the poor-rates could not be collected, and consequently the people there were dying of starvation. With the view, then, of preserving their lives, he (Mr. Fagan) called upon the House to support this proposition of Her Majesty's Ministers. It was a measure of humanity, and justifiable only on that ground. Some hon. Gentlemen who had spoken against this measure had talked as if there were no poor in the world. All the interests that they seemed to be aware of were those of the ratepayers, the landlords, and the occupiers of the soil. The lives of the starving they had passed over altogether unnoticed. With regard to the assertion of his hon. Friend the Member for Roscommon as to the cost per head in the fever hospital at Cork, he had merely to observe that, in his opinion, the hon. Gentleman's statement was inaccurate—the management of the Cork fever hospital was as economical and as regular as that of any other hospital in Cork.

MR. H. HERBERT had listened with great attention to the arguments of hon. Members who supported this measure, but he had not heard one single argument advanced by them in support of the justice of this measure. Nobody could deny the existence of the alarming destitution in Ireland, and those who in that country opposed this measure for the relief of that distress did not pretend to say that it ought not to be relieved; what they complained of was, the mode of relief proposed by Her Majesty's Ministers. They complained that the Government, although they were aware long ago of the crisis that had befallen Ireland, now at length came forward with, not a just and permanent, but an unjust and a temporary measure. In reply to his hon. Friend the Member for the University of Dublin, the right hon. Baronet the Secretary for Ireland had said, that in the speeches of the opponents of this measure, he had looked in vain for any proposition as to the fund out of which the present distress of Ireland should be relieved. Her Majesty's Ministers were looking for hints, but none were offered. Now, his complaint was, that the Government had not themselves, without waiting for any hints, proposed, not this unjust and temporary plan, but one founded in justice, and calculated to make Ireland permanently free from the evils of destitution with which she was now afflicted. If such a plan had been proposed, it would have received his cordial support. He was prepared to support any just system of taxation that the Government might propose. When he spoke of just taxation, he, of course, alluded to a system of taxation which should press fairly on all classes, and not one which, like the present, would press with the greatest weight upon farmers, who were already overwhelmed with difficulties. He could very well understand that the hon. Member for Cork had not received any remonstrances from his constituents with regard to the support which he had given to this measure; but he could assure that hon. Gentleman that he (Mr. Herbert) had received the unanimous thanks of the farmers of the county (Kerry) he had the honour to represent, adopted at one of their meetings, for the few remarks which, on a previous occasion, he had deemed it his duty to make against this measure. He had no objection to a just system of income tax being imposed upon Ireland. He wished to say a few words with respect to the present area of taxation in Ireland. The noble Lord at the head of the Government had advocated an extensive area of taxation because he considered that a small area would induce landlords to clear their estates and get rid of the burden of contributing to the support of the poor on their estates. But experience had proved that a large area of taxation was the most fertile source of clearances: landlords now rid their estates of their poor tenants, because they knew that in a large union but a small fraction of the expense of maintaining the poor so ejected from their tenements would fall upon them. If there were a parish area of taxation, the misdeeds of each landlord would fall directly upon himself: he would be compelled himself to support the poor whom he had ejected. He could not avoid complaining of the administration of the poor-law in Ireland by the Commissioners; they had not attended to the suggestions which had been forwarded to them from every district in Ireland with regard to the proper carrying out of the poor-law. Referring to the violent language which had recently been uttered in several parts of Ireland against this rate in aid, the hon. Gentleman said that he utterly disapproved of such violence. There could, however, be no doubt that the feelings of those who had uttered such violent language in Ireland against this measure had been greatly exasperated; as far as his own conduct was concerned, he pledged himself to support the carrying out of this measure should it become the law of the land. The hon. Member for Roscommon had mistaken the expressions of Mr. Twisleton, the late Irish Poor Law Commissioner, in reference to this measure. The words used by Mr. Twistleton were such as he (Mr. Herbert) was not inclined to forget. Mr. Twisleton had drawn a clear and a most touching picture of the irritated feelings occasioned in several parts of Ireland by the introduction of this measure. Mr. Twisleton had said, in reference to the violent manner in which vent had been given to those feelings, that he thought it unworthy of a great country like England, in the present morbid state of feeling and misery in Ireland, to take umbrage at any irritating language which might escape her, and that the harsh language which she was now using towards England might be compared to the language of a sick individual who accused the friend who attended him of putting arsenic in his gruel, and other similar maltreatment. With reference to the discontent which existed on these subjects in Ireland, he could assure the House that it was now general among all classes of the Irish public. Let him warn Her Majesty's Ministers not to persevere in the course which they had so long been content to adopt on this question. Let them not confide any further in the plea they had assigned for their inefficient management of this great question. Let them not seek to shroud that inefficiency under a denunciation of the disunion prevalent among the Irish landlords, nor seek in the short comings of the latter apologies for their own remissness. Let them come forward at once with some distinct and intelligible plan for the remedy of the grievances that were admitted on all hands to have arisen out of their legislation for Ireland. The pretexts made while they abstained from doing so were unworthy of any men who aspired to the name of statesmen. If it was, indeed, true that the disunions existing among Irish landlords and various sections of society in Ireland enabled Her Majesty's Ministers to keep their places—at least, Her Majesty's Ministers could not prevent the future historian of their career from recording of them, that they neglected a noble opportunity, when it arose, for providing remedial measures calculated to remedy the miserable condition of Ireland. On the contrary, the future historian would record, that when such an opportunity did offer itself, they were unequal to the task of dealing with it. They had, indeed, brought forward one great measure—the introduction of a poor-law — as a measure of expediency, which they should have introduced into the Legislature as a matter of justice. He could only characterise it, in the words of an ancient authority, as an attempt "*fraudere, rapere, falsis nominibus.*"

MR. P. SCROPE said, he would not follow the hon. Gentleman the Member for Roscommon and other hon. Members who had preceded him in the debate, through their attacks upon the Irish poor-law; but he was unwilling, from the deep interest he had always felt on every matter affecting the condition of the Irish people, and the study he had devoted for many years to such subjects, to allow the present discussion to pass without submitting a few remarks on the Motion before the House. In speaking to that matter, hon. Gentlemen had argued as if the new poor-law had been the cause of all the existing misery of Ireland. But what was her condition prior to 1847? You were going upon a system of outdoor relief, the recipients of which were a colossal army of 40,000 labourers and their families. After 1847 you continued outdoor relief to a vast extent, but you charged upon the property of Ireland the sums expended for that poor relief which had been previously defrayed out of the imperial revenues. He had heard this poor-law deprecated as an attack upon and spoliation of all property in Ireland; and one which was driving all its best tenantry out of the country. Why, how stood the case of the tenants? Previously to 1847 they had been compelled always to pay the greater part of their rents, whatever might be their money amount, in potatoes. When the potato crop had failed, they were still called upon to pay the same scale of rents which they had paid previously; a scale founded on the culture and the average crop of the potato. The same landlords, in many instances, were now attempting to extort the same amount of rents—perhaps exorbitant in the first instance—which they had been in the habit of receiving under the existence of that old potato system of culture which had now, for two or three years past, so signally failed. As for the rate which had been levied on the land for the relief of the poor, it was idle to attribute the sufferings of the tenantry to that, as one of their excessive burdens. He found that in Connaught, one of the worst districts as to prevailing distress in all Ireland, the average poor-rate for the year ending September 1848 had been but 2*s.* 7*d.* in the pound. Now, was it conceivable, was it possible, that a rate of this amount should have really operated to break the backs of these tenantry? Or was it not rather the 20*s.* in the pound still exacted for the rent? It was surely absurd to argue, when the country was actually labouring under a third visitation of the potato famine, that the rate of 2*s.* 7*d.* was a principal cause of its distress. Besides, there was proof at hand to show that the rate was in many instances not only cheerfully paid, but that the ratepayers were, themselves, in a condition of competency, or comfort. For example, he would instance the case of Mr. Bingham's property in the union of Ballina. It was to other causes that the House must look for the discontent which ensued on the passing of measures intended for the remedy of Irish distress; and he had himself no doubt that the most unfortunate circumstance connected with their legislation for that country was the degree of hurry in which it was passed. Every provision of this kind was sure to be made after a hurry-skurry fashion. The House usually waited till the eleventh hour, until the exigency for a remedial measure had become most urgent, and then the measure was introduced and expedited through Parliament under circumstances which left it no character of an act of self-sustaining or permanent legislation. He did think that the character of the remedies proper to be applied on a large scale to the relief of Irish misery had been much misunderstood. He had himself, so long ago as 1846, foreseeing the probable failure of the potato crop, brought forward two propositions with such an object—the one a poor-law; the other, a plan for the employment of the ablebodied labourers, on a very large scale, on works the most essential to the substantial improvement of

Ireland, and the extensive occupation of her unemployed peasantry in the cultivation of her waste, and the draining of her wet lands. Unhappily, neither of these propositions was entertained. The passing of a poor-law was postponed until after the failure of the potato crop had occurred twice, and the necessity of an attempt to face the accumulated evils that had ensued could no longer be delayed. The consequence was, that this all-important measure was so precipitately carried through its various stages, that it had proved exceedingly defective and inadequate in many respects. One million of money was disbursed for the avowed purpose of outdoor relief among an enormous mass of applicants; but in such a manner, and under such a system, that it seemed to have been impossible to have determined who were deserving recipients of this money, and who were not. It was very certain that whilst this enormous fund was being distributed, and long after it had been all issued, masses of the wretched unemployed peasantry died off by scores, so that it was often found necessary to bury their bodies in large common graves, without shrouds, or even the ordinary rites of burial. After such accumulated distress as had followed upon no less than three years of potato famine, was it not most unreasonable to expect that any poor-law would, directly it had been enacted, operate to remove this misery so long as the Government and the Legislature persisted in withholding those auxiliary measures of relief which, by providing for the employment of ablebodied labourers on a great scale, could alone afford present relief to the sufferings of the people? The House would perceive from the reports and documents on this subject which had been already laid before them, that all the most intelligent guardians and commissioners concurred in this statement, "that the want of employment was the main evil of Ireland." The small farmers, who had formerly always managed to maintain themselves, had been totally evicted from their holdings by hundreds and by thousands. They could no longer earn the means of paying their rent. But what measure for providing employment had the Government introduced? Everybody knew who heard him that for two centuries and a half the authorities were bound by the law of the land to find labour for the employment of the ablebodied. The law of England might have been right or wrong in decreeing such a compulsory provision; but in either case it had been always open to Her Majesty's Government, since 1846, to bring forward some great measure of employment for the poor of Ireland. The universal destitution now experienced there from the want of such employment for them, was still unsatisfied. But why? Was there no field there for such general employment? On the contrary, it was universally admitted that the field for labour was inexhaustibly extensive there, and in few countries could it be more largely occupied to greater national benefit. There could be no doubt that the west of Ireland afforded a large field for employment; and there could be no greater fallacy than that Ireland was over-populated—that excuse having been made a century since, when Ireland was not one quarter so densely populated, and from the same cause—the abuse of the land. Colonel Hamilton told them that in Ballina there was quite sufficient land to employ the whole of the people of the district with proper management; and Captain Kennedy told them the same of Kilrush—that the improvement of the land and increased value of all property must follow on that employment being provided; and that in some localities there were actually not labourers enough at hand to take up all the works that were being carried out. The question, then, was—what shall be done? The argument in favour of the rate in aid was that the people would perish without it. That it was a matter of absolute necessity, and that therefore aid should be afforded in some shape or other. The objections which he entertained to a rate in aid were precisely the same as he had upon a former occasion urged—namely, that it was contrary to the principle of the poor-laws, the well-known principle that local destitution should be provided for by local responsibility. His opinion was, that the principle sought to be established by those who supported a rate in aid, had the opposite quality to that of mercy. It had the effect of injuring those who gave as well as those who received. It held out a premium to the mismanagement of land, and would materially injure those very districts which the rate in aid might relieve from responsibility. The consequences of such a mode of relief from responsibility would be that the landlords of Mayo and Galway will care very little about exerting themselves in the discharge of their duties as proprietors. And why should they, when they find they will be relieved from responsibility by a national fund raised expressly for that purpose? He did not wish to use harsh expressions when speaking of the landlords of Ireland, but he found those very sentiments set forth in a newspaper—the *Dublin Evening Mail*—of the 7th of March, which has always had the reputation of being the special organ of the landlords of Ireland. That journal stated—

> "That if once the rate in aid was collected, the Mayo and Galway squires would let the northerns pay their poor-rates for them, and lay out their lands in grass farms."

But, then it may be said, money must be obtained to prevent starvation and the sacrifice of human life? How was it to be raised? The right hon. Gentleman the Chancellor of the Exchequer was coming on Friday to ask the House to vote 100,000*l.* upon the credit of the rate in aid, if that Bill be passed. It was well known the rate could not be collected this summer; the imperial resources must therefore be drawn upon, for money must be advanced for properly meeting the emergency. Now, if he was asked how he would raise the required money, his answer would be the same as on a former occasion. The mode he would suggest was reasonable and just: instead of taking loans upon the credit of the rate in aid, he would recommend that they should be taken upon the security of the land itself. Why should not the lands in the province of Connaught be made responsible for the relief of the pauperism upon them? If the necessary funds cannot be made available at present, a power should be taken for the sale of Irish estates, and the money necessary for the relief of Irish pauperism should be advanced upon their security. That could be done without inflicting injustice upon any one. It would be merely placing the saddle upon the right horse to make the owners of land in the western and southern districts responsible respectively for the destitution thereof. The landlords possess the power to levy every penny of their rents; they can seize the last cow, even the bed under their tenant who neglects to pay his rent; and why should not the estates of the landlard be liable to seizure as well as the chattel property of the poor tenant? Why should not the same law be for the poor as well as for the rich? It was very hard that the poor should be subjected to the most extreme severities, while the proprietors of land were exempted from liability altogether, at least so far as their lands were concerned. He maintained that the most just and equitable principle was to exact payment from the land where destitution and pauperism existed. Who ought to be responsible for the relief of the pauperism which existed in the west of Ireland, except those to whom the land belonged, and who had created it? The hon. Gentleman then read an extract from a report of Capt. Laing, a poor-law inspector, who died while engaged in the performance of his duties, at Bantry, in the county Cork, in confirmation of his views. The report attributed much of the pauperism which existed to the misconduct of landed proprietors, and to their pitiless exaction of the last farthing of their rents. If pauperism had been increased by those means, and if it was necessary that the people thus thrown upon the world by their landlords should be relieved from starvation, from whom was it most just and equitable that the means of relief should be exacted? Why, certainly, from the owners of the land. They had, by grossly neglecting their duties to their tenantry, caused the pauperism which existed, and they should now be held responsible for its relief. The fact was, some of the landlords of Ireland had found it a profitable system hitherto to manufacture pauperism; but they, and nobody else, should now be called upon to pay the penalty of their misdeeds. By adopting these suggestions, that the necessary advances should be made by the Government, and that their repayment should be secured by a power to sell the lands, they would be carrying out that principle which afforded the only gleam of hope for the improvement of the country —namely, changing the proprietary from a mere nominal one to a proprietary with capital and ability to cultivate the soil and improve the condition of the people. He disapproved of the rate in aid as calculated to retard this happy result. If the landlords were compelled to discharge their duties—if they were held responsible for the relief of pauperism which they had mainly occasioned, and their properties were to be answerable—the Government would be acting upon a right principle, and they would inevitably produce a new and a more useful proprietary than those now in Ireland, who were either unable or unwilling to employ the people. The hon. Gentleman concluded by calling upon the House to encourage, by every means in their power, the cultivation of the land in that country, and equalise the pressure of the poor-rates.

Sir J. WALSH said, it did not appear that the hon. Member who had just sat down paid much attention to the advice of the hon. Member for Manchester, namely, that with a view to curtailing the length of the debates, they should refrain from repeating their own arguments. He (Sir J. Walsh) would not, therefore, follow the hon. Gentleman through that peculiar theory upon which he had so often expatiated—a theory which he thought was a very great mistake, namely, that of the Government becoming the great employer of labour in the destitute districts. Nothing appeared to him more fallacious or more inconsistent than the argument which had been urged, that the present system of outdoor relief was only a substitute for that which was adopted in 1847. That was a temporary remedy for a great evil, and was unfortunately attended with the most disastrous results; it was the *fons et origo mali.* Then the hon. Gentleman who had just spoken found an easy remedy in the confiscation of the land, and said that the landlords should sacrifice all their rents. He (Sir J. Walsh) believed that that expedient had been fully tried, and that in the distressed parts of Connaught for the last two years the landlords had received no rent whatever. But it had never been attempted to meet the arguments of those who opposed this measure, although they had shown that it would be inadequate for the purpose for which it was intended. The Government had delayed so long the passing of this Bill, that an opinion prevailed that they were less confident of the efficacy and sufficiency of their measure at the present moment, than when they first introduced it into the House. The progress of the evidence given before the Committee upstairs had certainly been unfavourable to the Bill. The potato failure had not been uniform or universal in the different counties in England; but it had fallen upon the whole of Ireland alike, and every parish and every union in that country had had to struggle against the infliction which had fallen upon the staple product of the country. This was one reason why a rate in aid for the relief of the distressed districts in Ireland should not be levied exclusively upon property in that country. Another objection which he felt to this measure was, that it continued to be brought forward in an incomplete state. The noble Lord at the head of the Government had stated that the present Bill was only part of a plan which he was prepared to recommend to the House; but no step had yet been taken to bring this plan forward. The noble Lord had spoken of emigration in a somewhat slighting way, as a remedy inadequate and inapplicable to the wants of Ireland, nor had anything been done in that respect.

The CHANCELLOR of the EXCHEQUER said, that by a proviso in the Bill, a certain portion of the fund would be applicable for that purpose.

Sir J. WALSH was glad it had not been overlooked. He much distrusted the plan that had been sketched out by the right hon. the Member for Tamworth; he had no faith in what were called "great and comprehensive measures;" in many cases, as the Reform Bill, and the repeal of the corn laws, they had turned out failures; and the right hon. Baronet would better have consulted his reputation if he had adhered to the principle he acted on on a former occasion, of not giving his advice until he was regularly called in. If the plantation project of the right hon. Baronet were in part a plan for buying and partly cultivating the lands to which he referred, it would be attended with as complete a failure as similar attempts had met in Williamstown, and elsewhere. If also it contemplated a system of forced sales, it would be a serious infraction of the rights of property. The great objection to the plan of the right hon. Baronet was, that it did not get rid of the difficulty that existed in Ireland, which was to find purchasers for estates. It was a prevalent mistake to suppose that the state of the distressed districts of Ireland was caused by the bankrupt and insolvent condition of the landed proprietors of Ireland. But if they could transfer the landed property to persons with capital, who were entirely unencumbered and free from debt, they could not discharge their duties if the existing mass of pauperism remained, because they must not only provide proprietors who possessed capital, but proprietors who were willing to employ their capital without the hope of any productive return. A far more pressing evil than the insolvent condition of the landlords was the bankrupt state of the occupiers of the country, and the paralysis which the present state of things had induced in the industrial energy of the people. The noble Lord at the head of the Govern- had had announced that it was his intention, when they got into Committee, to move for an advance of 100,000*l.* on account of this rate. Now, there were certain stages provided by the constitution upon such a vote, and if the Government pledged the House on the faith of that which was not the law, and which might not be the law, they would pledge the country prematurely, and run it into debt, in fact, before they had got their security. It was possible that either there, or elsewhere, the measure now before the House might not become the law; and what an unsatisfactory state of things would that not be, when the Government had pledged and mortgaged the revenues of the country on the faith of a measure which, as he had said, might never become the law? Such a resolution was unconstitutional in itself, and ought to be resisted by all those whose duty it was to guard the public interests.

SIR G. GREY said, that as he had fully expressed the opinions he entertained on this subject on a former occasion, it would be necessary for him to say but a very few words in the present instance. He was anxious, however, shortly to advert to one or two of the objections against this measure which had been advanced that evening by the hon. and learned Member for the University of Dublin, in moving the Amendment of which he had given notice. He believed that, when this question was last before the House, there were two points which were then admitted to have been established: the one being that there was distress in some parts of Ireland, for the relief of which extraneous assistance was required; the other, that that extraneous assistance must come, not from the imperial resources, but from Ireland herself. Now, as to the first proposition, no one in the course of the present debate had attempted to dispute it. One hon. Gentleman, indeed, said that the rate in aid would be wholly inadequate to the distress to be relieved, and that this distress was so urgent as to require immediate relief, and so extensive that it was incapable of being removed by any resources which it was the object of the present Bill to provide. One of the hon. representatives of Tyrone had told the House that if extraneous assistance were not given, thousands would die of starvation. He might then safely assume that the distress required extraneous assistance; but the second proposition, that this assistance ought to come from Ireland herself, had not been so generally admitted to-night as on the last occasion. The question had on the previous debate been fairly raised between the income tax and the rate in aid; but to-night they had not heard from Irish Members any tender of the income tax. The whole of the argument which he had heard on this subject had either gone to the withdrawal of all relief from the distressed unions, or else to the drawing indefinitely from the Imperial Exchequer for the relief of the distress. Some of the arguments he had heard to-night against the rate in aid would equally militate against any grant from the imperial resources. Now, the hon. and learned Gentleman the Member for the University of Dublin first stated his objection to this Bill on the ground of the injustice involved in the principle that districts in Ireland should be taxed for the relief of poverty with which they had nothing to do; but surely the same objection would be equally valid against grants of money made by the Imperial Parliament for the relief of local distress in Ireland, as against this rate in aid. If it was a manifest injustice that Ulster should contribute to the relief of poverty not arising in Ulster, how would the hon. and learned Gentleman contend that the imperial resources should be applied to the relief of that poverty? This case had been argued as if it was the first instance in which assistance had been looked for from districts beyond those in which distress existed; but this was no new system, for they had been for a long time giving assistance to these distressed unions in Ireland — assistance to meet distress which had arisen from the peculiar circumstances in which Ireland had latterly found herself. He must remind the hon. and learned Gentleman too of what he (Sir G. Grey) had stated on a former occasion, that, looking at the money raised in this country, in aid of the poverty that prevailed in parts of Ireland, it appeared that a limited number of parishes in this country had paid in one year as much as 77,000*l.* towards the relief of that Irish distress; whilst, since the period when he last referred to this subject, nearly 5,000 paupers had found their way from Ireland to Liverpool, and were now spread over this country in consequence of which the poor-rates had considerably increased in many places. Indeed, he had received earnest remonstrances from Scotland on this subject; and England and Scotland were now actually paying a rate in aid for the relief of Irish paupers in this country, greater in many parishes than that which was required under this Bill for the relief of the distress in Ireland. One hon. Gentleman had stated that the present Bill would only aggravate the evils under which Ireland was suffering. He inferred that the hon. Member intended that the imperial resources should not be drawn upon, but that the people should be left to their fate. The hon. Gentleman shook his head, and disclaimed such an inference; but what else could be inferred, when the hon. Gentleman talked of leaving the people to themselves, and the necessity of not weakening the habit of self-dependence? If the Government were invading the principle of self-dependence, he (Sir G. Grey) did not see how they were doing this in a greater degree by means of this sixpenny rate charged on the rest of Ireland, than if they had proposed to draw the same amount from the imperial resources. The charge of injuring the principle of self-dependence would indeed appear to attach much more to the latter mode of relieving the distress, because the expectation of parties in Ireland was excited of indefinite grants from the Imperial Exchequer. Indeed, the expectation of grants from the imperial resources, and that to an indefinite amount, would be far more fatal to the principle of self-dependence than this rate in aid could be. This measure would, at all events, hold out no prospects of relief to an indefinite extent; the precise amount it proposed was a 6*d.* rate for two years. The poor-rate in Ulster was as nearly as possible identical in amount with that of England—it was 1*s.* 9*d.* in the pound there last year; and, owing to the increase that had taken place, it had risen to full that amount in England also, so that they were both upon an equal footing in the amount of poor-rate. The hon. and learned Gentleman said this rate in aid would be inadequate. Now, if he thought the 500,000*l.* or 600,000*l.* that might be collected in two years under this Bill would be inadequate, that surely was no reason why he should reject the Bill altogether, and not show any other mode of making up the deficiency, although it might be a reason why he should propose to increase the rate from 6*d.* to 1*s.* The hon. and learned Gentleman said this tax would act as a penalty upon the prudent and well-managed districts. Now, in England the same principle was applicable; and if it had not been applied in this country to the same extent as it was now proposed to apply it to Ireland, the reason was, because the same circumstances had never yet called for it in England. But, as the law in England now stood, any parish in all Yorkshire was liable for the distress of a parish in any other part of the county, before a single shilling could be taken from the Imperial Exchequer; and the believed that the English people would sooner have recourse, if such a thing ever became necessary in this country, to that which would merely be the extension of a principle already sanctioned by law, than ask for imperial grants from Parliament. If they were to propose a rate in aid for Ireland, strictly analogous to the English rate in aid, it would be utterly inadequate for the exigency; and, therefore, they proposed to extend over the whole island a rate in aid before they came upon the Imperial Exchequer. As to the objection made to this rate, on principle, if hon. Gentlemen belonging to Ireland would prefer an income tax in its stead, perhaps the Government would have no objection to offer them one; but the machinery for raising an income tax, without loss of time, did not exist, and how were the people to be preserved from starving in the meantime? The hon. Gentleman said, "Let them have a Committee to inquire whether Ireland now bears its fair proportion of the imperial taxes or not." But how long was the Committee to sit, for if they decided at a remote period that more taxes ought to be imposed upon Ireland, how could that mitigate the pressing distress at the present moment? The hon. and learned Gentleman ought to tell the House what immediate means he would have it adopt to relieve the distress which he admitted to be so urgent. The speeches delivered during the present debate suggested no substitute for the proposed rate, but consisted wholly of an argument against any charge whatever being imposed upon Ireland; and then, when controversy arose upon the fiscal condition of Ireland, and comparisons were instituted in that respect between England and Ireland, and that a Committee was spoken of to inquire into their relative position, fiscally considered, the hon. and learned Gentleman said, he did not want a Committee of Inquiry—that he did not want any information on the subject, though others might, for he said he knew perfectly well that Ireland discharged her full share of the fiscal burdens of the united kingdom; and, acting upon that conviction, he so shaped his Motion as that it should lead the House into expressing an opinion that relief should be granted out of the Imperial Exchequer, and not paid by the people of Ireland. [MR. G. A. HAMILTON observed, that he had not given any opinion of his own. What he had said was, we in Ireland think we pay quite enough.] The hon. and learned Gentleman and his friends might think they paid enough, but what was to be done in the meantime? The grant of 50,000*l*. already voted would not suffice to meet the emergency; and again he would ask, how was the difficulty to be obviated? The hon. Member for Northamptonshire, who spoke on a former evening, objected to the measure; and at the same time said, that he, as an Irish proprietor, contemplated the possibility of English and Irish taxes being equalised; and then, no doubt, there would be something like a principle of equity in calling upon England to contribute to a rate in aid. Ireland might then fairly expect extraneous assistance, and hope to be replenished from the Imperial Exchequer. But, though all might acknowledge this, there still remained points of disagreement, and hence the demand for a fiscal Committee, to see if Ireland did really bear an equal share of taxation. Still he must recur to the original difficulty. In what manner were they to be relieved? Much that had been said on this subject was founded upon great misapprehension. The hon. Baronet the Member for Radnorshire said, that the Government proposed to run in debt to the extent of 100,000*l*. without knowing whether or not Parliament would sanction the advance. Now, for the purpose of removing all misapprehension upon this point, he should just state what his noble Friend at the head of the Government had proposed to do—his intention was, after the second reading of the present measure, and before going into a Committee on it, to propose in a Committee of the whole House a vote of money to be granted on the security of the rate in aid. But at the same time it was not intended to advance this 100,000*l*. unless the Bill should pass both Houses, and provision for that purpose was to be made thus: After the Committee of the whole House should have agreed to the money vote, a clause would be introduced into the Bill, creating the security under which the money was to be granted, and in that way the grant would stand or fall equally with the Bill; there would, therefore, be no advance upon an uncertain grant. There was one objection to the Bill to which he would shortly advert — it was described as a solitary measure, as a temporary expedient, and inquiries were made as to whether the Government intended to introduce any alteration of the poor-law. It was well known that such a proposition was under the consideration of the Committee, which had been taking evidence on the subject; and the introduction of a Bill had been postponed till the inquiries of that Committee had taken place. They had been charged upon the present occasion with shrinking behind the want of unanimity which prevailed amongst their opponents. He did not hesitate to say, that there was no justice in that charge. The Government had laid before the House a distinct proposition; and if discord prevailed amongst their opponents, the Government could not be blamed for that. The hon. Member for Stroud told them thas they ought to stimulate employment: that involved a question somewhat too extensive for him to enter into on the present occasion; but thus much he would venture to say, that the Government had no intention of stimulating employment, according to the views of that hon. Member, by directly giving work themselves, but they hoped to stimulate employment by means of amendments of the poor-law; they had also sought to stimulate employment by assisting proprietors of land in the improvement of their estates, by promoting arterial drainage, by advances for harbours and railways. Those modes of stimulating employment they considered to be the most legitimate, effectual, and beneficial. Upon these grounds, then, he hoped that the House would not reject the Bill then before them without the substitution of some definite plan of relief. The plan which the Bill contained had already been affirmed by a large majority, and the 100,000*l*. proposed to be granted under the security of the intended rate would be available for the relief of the poor in Ireland as soon as the 50,000*l*. already granted should have been exhausted.

MR. STAFFORD observed that the right hon. Baronet the Home Secretary had certainly said everything that could be urged, not in favour of the proposition before the House, but against the speech of his hon. and learned Friend the Member for the University of Dublin. He must remind the House, however, that something more was required on the present occasion than a criticism, however ingenious, of any speech, or any two or three speeches, and therefore it was with very great disappointment that he had listened to the right hon. Gentleman. When the right hon. Gentleman rose, the Government were in the unparalleled position that, with the exception of one Member, no person on either side of the House rose to defend the Bill, which had been now under discussion from 6 to 11 o'clock. The right hon. Gentleman talked about the income tax. But did he not recollect that his hon. and gallant Friend the Member for Longford proposed the extension of the income tax to Ireland in place of the rate in aid? The hon. Member for Cork opposed that proposition, because he preferred the interests of his constituents—the butter buyers—to the interests of the frieze coats who brought the butter to them. He could not permit the Government to avail themselves altogether of the hon. Gentleman's speech; for three-fourths of it consisted of an eulogy of the somewhat obscure and cloudy scheme propounded by the right hon. Gentleman the Member for Tamworth. He agreed with the hon. Gentleman that that scheme had taken hold of the imaginations of the Irish people. A highly imaginative scheme might, in the case of a highly imaginative people, be expected to produce that result. Proposed as that scheme was by a right hon. Gentleman of so much talent and experience, and calculated to alleviate, if not to remove, the distress of the Irish people, it had received a considerable share of attention on the other side of the Channel; and he must say, that it was due to the propounder of it, that before the discussion closed, the Government should state distinctly whether or not they had any intention of carrying into effect any of its suggestions. [*A laugh.*] He knew not at what the right hon. Gentleman the Secretary of State for the Home Department laughed. There were temperaments and dispositions to which anything was food for mirth; but he begged to assure the right hon. Gentleman that the scheme was contemplated by no mirthful feelings by those who felt that there was very little to hope for, and very much to dread; and he must say that so far as remedial measures for Ireland were concerned, they might well be disposed to turn to other sources than the Government in this great emergency. Perhaps before the right hon. Gentleman laughed at those to whom he alluded for entertaining and contemplating the scheme in question—

Sir G. GREY said he smiled because the hon. Gentleman considered it the duty of the Government to express an opinion on every plan which might be proposed by an hon. Member of that House. He should have imagined that such a sentiment could not come from a Member of the hon. Gentleman's experience.

Mr. STAFFORD said, it had come from a Gentleman of his experience. He maintained that gratitude was due to the right hon. Baronet the Member for Tamworth for suggesting such a scheme, amid the utter barrenness of the Government; and it was not becoming in the right hon. Gentleman the Secretary of State for the Home Department to laugh at him. Whether they were or were not disposed to act on the plan, the Government were bound at all events, considering the disturbed state of Ireland, to set all unreasonable hopes at rest; and without reference to that plan they should state before the discussion closed whether during the present Session they meant to enter on the subject of the sale of lands. He appealed to the right hon. Gentleman the Secretary for Ireland whether such a subject should be passed by? The right hon. Gentleman, in his acute attack upon his hon. and learned Friend the Member for the University of Dublin, had forgotten the main question before the House. He (Mr. Stafford) wanted to know, from the propounders of this rate in aid, what amount of destitution, in the first place, they expected to be called on to relieve; and, next, what amount of money would be raised by a sixpenny rate. He apprehended that hon. Members opposite would not feel satisfied that the Government had made out their case unless they answered these two questions. He wanted to know why the sum of 100,000*l.* was fixed upon, or why a sixpenny rate was specified? He knew that the feeling in Ireland would express itself somewhat in this way—" Well, we have got 100,000*l.*, at all events, and as for payment, let the Government look out for that." After all these professions, therefore, of making Ireland self-supporting—after all their gyrations and wanderings—they came back to their old friend the Consolidated Fund. Her Majesty's Government had arrived at such a pitch of statesmanship that they had been enabled to strike a rate; but he had already ventured to tell the Government that it was one thing to strike a rate, and another to collect it. Out of 1,600,000*l.* which was the amount of the rates struck for the whole of Ireland, no less than 800,000*l.* was uncollected last November. If, therefore, it were found that this sixpenny rate would not raise the sum which was expected, the Government would discover that they had ruined some unions, without benefiting others, and that the amount of misery and the absence of self-dependence was greater than before. It would then be the turn of those who had endeavoured to discharge an unpopular duty to ask whether they are not really the friends of the poor, and the benefactors of Ireland? He knew that the Government were able, as their legislation was conducted, to ruin the province of Munster; but when they had made Munster like Connaught they would have done nothing for Ireland, except in causing two deaths to take place instead of one. He saw a fatal tendency in that House to shrink from the question of Ireland altogether, and a disposition to consider the evils of that country of so irremediable a character as to leave them to be dealt with by the party in power. But the question could not be evaded. The northern counties of this country were now in such a state as to render the burden of pauperism from Irish immigration no longer endurable. In the unpublished evidence taken before the Poor Law Committee, he defied any man to put his finger upon a single sentence which could be tortured into the expression even of a ray of hope for the fate of Ireland. Not a word had been advanced, either by the Government or by any Member of that House, to show how this rate could be confined to sixpence, or how the operation of the rate could be confined to two years. He denied that this sixpenny rate in aid could ever be collected. He was aware that the Government had a majority in that House, and that they were supported, not because it was thought that they were doing right, but because it was thought better to throw the responsibility of these measures for Ireland upon the Executive. In all his experience, he had never known a greater responsibility to rest upon a Government; and he did not envy the Government their responsibility with respect to Ireland, because he did not think they had grappled with this subject, but had resorted to the old plan of balancing one Irish Member against another—a miserable subterfuge, unworthy of a Government, and of the crisis of this great debate. In Limerick, where the cholera had broken out, the sum which had been collected on behalf of the sufferers had pressed heavily on the ratepayers; and for the Government, at this crisis, to attempt to levy this rate of 5,000*l.* from Limerick, would only have the effect of beggaring that union, and making bankrupt several of the electoral divisions. But whatever might be collected, there would only be a drop in the ocean of Connaught misery. Therefore, it was not a question between the Protestants in the north and those in the south; it was a question of mismanaged unions. The effect of the proposal to pay half the sum on account, until the whole rate was collected, would have the effect of drawing the largest sums soonest from the poorest unions. But this was not his main objection to the measure. The right hon. Gentleman the Home Secretary had again referred to the question of the income tax for Ireland, and had done him (Mr. Stafford) the honour to allude to his opposition to the 50,000*l.* grant. On that occasion he had contended that Ireland had never had the option of choosing an income tax. Without waiting to take evidence, the noble Lord at the head of the Government stepped down to the Committee, and proposed this sixpenny rate in aid. But since the event of the minority in the Committee, there had been a division in that House, and the majority which supported him in the former had failed him in the latter. Seventeen in the Committee had dwindled to eleven minority in the House. The House had expressed wonder that the noble Lord should insist upon taking the sixpenny rate before he collected evidence; but the wisdom of the noble Lord was now apparent. Had the noble Lord abided the testimony of his own official witness, it might be doubted whether he would have got his sixpenny rate in aid. He ventured to ask the noble Lord whether he meant to say that no plan for the amelioration of Ireland was to be brought forward until the Committee had expressed an opinion? He asked him whether there were any plans either in existence, or in the bosom of the noble Lord, which would be introduced without being sent up to a Committee-room in that stately place which hon. Members expected shortly to inhabit? The hon. Member for Montrose might shake his head, but he would assure him that if the inquiries with respect to Ireland were not prosecuted at a little quicker pace, the new Houses of Parliament would be completed before the Irish Poor Laws Committee reported. When the hon. and gallant Member for Longford proposed his Amendment, it was not supposed that those who supported him pledged themselves to the details of his plan; that support would merely determine which of two plans should be adopted—whether a rate should be laid upon that property which was most heavily taxed at present, and which had been severely tried during the famine, or whether the country at large should be called upon for the subscription. Connaught, through her representatives, had declined the proposition of the noble Lord by a majority of three to one. The right hon. Gentleman the Home Secretary had said, that the Government would give Ireland the income tax if she would like to take it; and the right hon. Gentleman the Secretary for Ireland, in the languid speech he had addressed to the House, had said, that if the Government had proposed an income tax for Ireland, there would have been equal clamour against it as there was against this rate in aid. He (Mr. Stafford) did not think that on this subject one part of Ireland was arrayed against the other; but he believed that neither upon the part of Her Majesty's Government, nor upon the part of that House, was there an adequate sense entertained of the difficulties with which the landed proprietors in Ireland had to contend, or of the trials which awaited that country, and through that country our own. Connaught had been famous for its miseries, Munster for its crimes; but, although famine might in silence decimate Connaught, let the House beware how famine was permitted to invade the adjoining country. It was because he saw troubles looming in the distance—it was because he believed that time yet remained for us to retrace our steps—that he called upon the Government and the House seriously to consider the state of Ireland. The Opposition, as well as the Government, could have but one object in view, as the matter was of far too great importance to be regarded merely as a party question. It was not too late for them to retrace their steps and withdraw this mistaken and hopeless measure; for, whatever they might do with regard to Ireland, they would be liable to attack, and whatever measure they might propose would be rejected by some; but he would ask the Government, as statesmen and honest men, whether they could reconcile it to their minds to impose this heavy tax on the most destitute class in the country? He would ask them, as practical men, to examine and see whether they could expect a successful result. As they were determined to raise 100,000*l.* in the shape of a loan from the Treasury, why not make this amount chargeable on an income tax, or some other source of revenue? He did not mean to say that by such means they would silence all complaints, but they would have the satisfaction of knowing that they had attempted to do justice, and had listened to the reasonable demands of those who had urged upon them the injustice of the proposed tax.

Mr. M. J. O'CONNELL hoped the House would allow him to occupy a few minutes of their time at that early period of the debate. He said this because he knew that many other hon. Gentlemen wished to offer some observations on that most important question. He feared that Her Majesty's Government had, in the general opposition raised to this plan, overlooked the different nature of the suggestions made. The objections might be divided into two very distinct classes. The first class had been most ably put by the hon. Gentleman who had just sat down, who had pointed out the grievous injustice of laying a burden on those who were so heavily taxed already. On that principle he (Mr. M. J. O'Connell) had, on a previous occasion, voted for the Amendment of the hon. and gallant Member for Longford. There was another objection, in the justice of which he did not concur. This objection had been made at several meetings in the north of Ireland by a number of speakers, who complained that one part of Ireland should be called upon to contribute to the maintenance of the destitute in another part of Ireland, when the Imperial Exchequer was not called upon to afford aid. But, feeling what was the state of distress in the part of the country where destitution had so extensively prevailed, he had voted, in the latter division, in favour of the Motion, as no other proposition had been made to the House. With every sense of the partial and oppressive nature of this measure, he was willing to vote for it rather than lose all chance of relief for the destitute unions. He would venture to suggest to Her Majesty's Government that it was not too late to do something to relieve some portions of Connaught and Munster. The hon. Member for Northamptonshire, who was a Munster man, had not alluded to the distress in the latter province; but he could assure the House that it prevailed to an alarming extent in that part of the country. It appeared to him (Mr. M. J. O'Connell) that some of the suggestions which were thrown out in the late debate might be taken into consideration by Her Majesty's Government, with great advantage to Ireland, and would add to their own characters as public men. He admitted fully the advantages of getting in taxation without resorting to new machinery in its collection. But he put it to Her Majesty's Government whether, merely for the employment of existing means, the whole burden of the charge should be thrown on particular classes. He hoped some Member of Her Majesty's Government would listen to a suggestion which he was about to make. His notion was, that, while they availed themselves of the machinery of the poor-law to levy a charge on the property of Ireland, they might do so in a way so as to get rid of many of the objections to the present measure. He would not, at that hour, ask the House to listen to any details on the subject, but would merely glance at the outline of what he proposed. If they allowed the tenants—and here he might be allowed to express the satisfaction with which he had listened to the able speech of his hon. Colleague on this part of the subject—when they paid the sixpenny rate additional, to deduct the whole amount from the rent paid to the landlord; he did not say the whole amount of the rate, but the sum actually paid, might be deducted from the rent. They then should allow the landlord to deduct, in a due proportion, from the incumbrances on his estate, whether in the shape of mortgages or charges arising in other ways. The same machinery which was now employed for collecting the poor-rate would be amply sufficient, and they would not have to create any new officers or an additional staff, and they would, at the same time, throw the burden on a class the best able to bear it, and for whom, in justice, there should be no relief from this exceptional tax. His hon. Friend the Member for the city of Dublin had given notice of his intention to propose in Committee to have a charge made for this purpose on the public funds payable in Ireland. He should be glad to see some proposition of this kind adopted. There was another suggestion also which had been made, and to which he was not unfavourable—namely, a charge on all public salaries of officers who received more than 300*l.* a year in Ireland. He had ventured, in this short and hasty way, to throw these suggestions before Her Majesty's Government for their consideration. He believed, in point of form, before they could be adopted, they must obtain the sanction of other Committees; but it would be time enough for the Government to consider them before the present Bill went through Committee. All that he was anxious for was that the destitution of the people should be relieved in the best possible manner. With respect to the income tax, it had been suggested that great difficulties applied peculiarly to that part of it which imposed a charge on professional incomes and the profits of trade. Without going into the question, he might observe that it might be advisable that as long as a rate in aid was necessary, that these classes of incomes should be excepted from the tax. He had seen a number of speeches made, out of doors, against all rates in aid; but he entreated Her Majesty's Government, and the English and Scotch Members, not to allow themselves to be excited by the violent language used on these occasions. All the Members of that House must be aware that when a popular movement was excited, that some fictitious grievances were sure to be mixed up with the real grievance, and it was most difficult to separate them.

MR. NAPIER moved the adjournment of the debate.

SIR G. GREY did not rise to oppose the adjournment, because he understood there were several Gentlemen still anxious to address the House; but he thought it right again to protest against the unfair construction which the hon. Member for Northamptonshire had put upon a gesture which escaped him while the hon. Gentleman was speaking. He (Sir G. Grey) should endeavour to be more careful in future, and to avoid smiling at anything the hon. Gentleman might say. He would not have noticed the matter again, had not the hon. Gentleman repeated the unfair construction after he had disclaimed it. He assured the House that nothing could be further from his intention than to ridicule or treat with the slightest degree of levity the distress in Ireland, which he deeply deplored, and to the alleviation of which he should be glad in any way to contribute. And, with regard to the right hon. Gentleman the Member for Tamworth, he admitted at once that any proposition coming from him was entitled to respect and attention; but he could not help smiling at the proposition of the hon. Gentleman the Member for Northampton, that it was the imperative duty of the Government at once to take up that proposition, and submit a measure founded upon it in the present Session.

Mr. STAFFORD observed that he had never said, and had never meant to say, that the right hon. Gentleman had laughed at the calamities and woes of Ireland, for he knew, from the public and private conduct of the right hon. Gentleman, that he was the last man to do so. He had said that he was surprised that it should be a matter of laughter, when he had asked the Government whether they intended to adopt the suggestion of the right hon. Baronet the Member for Tamworth. When that and other suggestions of a similar kind had occupied the public mind in Ireland, it was desirable for Her Majesty's Government to say whether they had any measures of their own in contemplation, or whether they were going to act upon any of these suggestions.

Debate adjourned till Wednesday.

SUPPLY—ORDNANCE ESTIMATES.

The House then resolved itself into Committee of Supply.

Colonel ANSON said, that in asking the House for a vote for the excess of expenditure in the Ordnance Department since the year 1846, he wished to make a short explanation of the circumstances under which the vote was applied for. Previously to 1846, the ordnance accounts were not made up every year, but the balance in hand was carried to the credit of the department, and appropriated to the payment of services previously estimated but not brought into charge. Under this system no balance-sheet was presented to Parliament, but there was constantly a running account. A great change had been made by the alteration of the system adopted in 1846, by which Parliament obtained the supervision of the financial affairs of the department—a change beneficial in every respect—at the same time it became necessary to make up the accounts, in consequence of the change of system, and the result showed an excess to the amount of the vote which he had to put into the Chairman's hands—namely, 97,984*l.* 13*s.* 1*d.* But this was not an excess on the actual yearly expenditure—on the contrary, if deducted from the sum which had been surrendered to the Exchequer, the result would show a saving on the grants of Parliament of 34,000*l.* He concluded by moving that a sum not exceeding 97,984*l.* 13*s.* 1*d.* should be granted to defray the excess of Ordnance Expenditure beyond the grants for the year ending March, 1846.

Mr. HUME considered this case as an exception to the general rule. He hoped that this way of voting money would not be drawn into a precedent of bringing forward money votes after Twelve o'clock; but he would not oppose the grant.

Vote agreed to. Resolution to be reported To-morrow.

The House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, March 27, 1849.

Minutes.] Public Bills.—2ª Petty Sessions. 3ª Outdoor Paupers.

Petitions Presented. By the Earl of Stradbroke, from the Parish of Boyton, and several other Places, for the Repeal of all Enactments occasioning Unequal Competition between the English and Foreign Grower.—From Donegal, against the proposed Rate in Aid (Ireland).—By the Earl of Erne, from Kildare, for the Re-enactment of the Act 28 George III. Cap. 37, on account of the Robbery and Wilful Destruction of Sheep.—By the Bishop of Llandaff, from Llanvetherine, for the Adoption of Measures for the Suppression of Seduction and Prostitution.—From the Port of Fraserburgh, against any Alteration of the Navigation Laws.

PETTY SESSIONS BILL.

Lord CAMPBELL, in moving the Second Reading of this Bill, said its object was to place cities and boroughs on the same footing as counties with regard to Petty Sessions Courts; and to enable the magistrates to secure suitable places in which to hold their petty sessions. The noble and learned Lord, from the returns which had been presented on the Motion of the Marquess of Salisbury, quoted several instances of the inconvenience to which magistrates had been subjected for the want of proper accommodation. The Bill was intended to be permissive only, not compulsory, and it proposed that the expenses should be paid out of the county rate.

The Marquess of SALISBURY said, this Bill was brought in for the benefit of certain gentlemen who were very useful to the country, but who were interested in providing places for holding the petty sessions, which were held to the number of 730 throughout the entire country. The noble Marquess complained of the great cost which it must entail on the ratepayers. The smallest cost of the erection of any of these buildings would be 500*l.*; and under any circumstances it ought not to be paid out of the county rate, but it should be a charge on the Consolidated Fund. He did not think any case had been made out for the passing of this Bill; and he therefore begged to move that it be read a second time that day six months.

The Earl of MALMESBURY said, the noble and learned Lord had chosen a most unfortunate time for bringing forward such a measure. He should like to see the system of local taxation reformed, for it had become almost intolerable, and no one could doubt that the pressure on the county rate was already very severe. The poor-rate and county rate in his own parish of Christ Church had increased to an alarming extent within the last twelve years; and he was not inclined to give magistrates a further discretionary power to increase those rates until the whole system of local taxation had been amended. He thought personal property should be liable to the payment of rates as well as real property. Personal property was that which was generally stolen, notwithstanding which the cost of maintaining the gaols and lunatic asylums was thrown entirely on the land.

After a few words from Lord Campbell,

Lord STANLEY suggested to his noble Friends behind him, whether the measure might not be modified in Committee in such a manner as to meet their wishes, and then if they did not succeed in removing what they considered obnoxious, they might move to reject the Bill on the third reading. As to the question of county rates there was no subject more worthy of their Lordships' consideration than the great and rapid increase of the county rates. He thought that he was not mistaken in saying, that in his county in 1823 the county rates amounted to 77,000*l.*, whilst in 1849 they reached 179,000*l.* He must say that there was a great and a general feeling that the power vested in magistrates at quarter-sessions required revision and control. It appeared to him to be a great anomaly that a sum of money, amounting to 179,000*l.*, should be assessed by the local magistrates without any influence being exercised over it by the ratepayers. He must say that when the burdens on the land were so great, it was the duty of their Lordships to watch with constitutional jealousy any progress to increase the expenditure of counties. True it was that this Bill was only permissive; but still it gave a power to the magistrates to increase the rates for the purpose of promoting their own comforts and convenience. But what their Lordships had to guard against was the possibility of a profuse expenditure. He would, therefore, propose to omit the words enabling the magistrates to provide accommodation by means of building. If they gave to the magistrates the power of building, they would give a great temptation to profuse expenditure; and he would advise his noble Friends to add a proviso that no buildings should be erected in places where they did not already exist, and that they should be restricted to the having of proper places, and that they should not even do that without the authority of the magistrates in quarter-sessions assembled, and notice being previously given of the intention to raise such question to the magistrates at large. This Bill, he thought, went beyond the necessity of the case. He would again submit to his noble Friends whether the whole object they had in view would not be answered by allowing the Bill to be read a second time, and amending it in Committee.

Lord BEAUMONT said, he was not certain whether he understood this Bill. Lately many Acts had passed which gave certain powers to magistrates assembled at petty sessions; but these acts did not extend the jurisdiction to where boroughs and city magistrates were sitting together. He believed, however, that the object of the first part of this Bill was to extend that power to such magistrates; and to that part of the Bill he thought no objection could be taken. With regard to the second part of the Bill, that was a matter of pounds, shillings, and pence. If this were an Act to enforce the building of these houses for holding petty sessions, and fixing an amount of rate on the county, then it would be an objectionable Bill; but it appeared to him that the measure was modelled on the Bill called the Lock-up Houses Bill, with which many of their Lordships were acquainted.

After a few words from the Earl of Harrowby and Lord Campbell, which were inaudible in the gallery,

The Marquess of SALISBURY, upon the understanding that some amendments would be introduced in Committee, withdrew his amendment.

Amendment, by leave, withdrawn.

Bill read 2ª.

AUSTRALIA.

Lord MONTEAGLE, pursuant to notice, asked "whether it be the intention of the Government to introduce a Bill during the present Session for effecting changes in the constitution of Australia? Whether, in the event that such is the intention of the Secretary of State, despatches or other papers will be laid before Parliament, showing whether such constitutional changes have been submitted to the Legislative Council, and made known to Her Majesty's subjects in Australia?"

EARL GREY aaid, it was intended to introduce such a measure. The papers on the subject had already been laid on the table of the other House of Parliament, in compliance with an address to the Crown; and the Government had reason to believe that the contemplated Bill would meet with the views of the people of Australia. He had endeavoured to induce the House of Commons to relax the rule which prevented his introducing the Bill in their Lordships' House; but his efforts were wholly unsuccessful, otherwise that Bill would now be before their Lordships. But it was not deemed prudent to bring it in at the present moment in the other House, in consequence of the pressure of business.

LORD MONTEAGLE said, that under those circumstances he hoped his noble Friend would produce, as soon as possible, the papers which had been laid before the other House.

House adjourned to Thursday next.

HOUSE OF COMMONS,

Tuesday, March 27, 1849.

MINUTES.] PUBLIC BILLS.—1° Friendly Societies.
PETITIONS PRESENTED. By Mr. Hume, from the Commissioners of Cape Town, Cape of Good Hope, against Convict Emigration to that Colony.

DUBLIN CONSOLIDATION IMPROVEMENT, WATERWORKS, AND SEWERS BILL.

Order for Second Reading read. Motion made, and Question proposed, "That the Bill be now read a second time."

MR. T. O'BRIEN moved as an Amendment that it be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Sir J. Y. BULLER suggested that all these Dublin Bills should be withdrawn, and that the matter should be taken up by Government.

SIR W. SOMERVILLE said, the Bills had been a long time before the House, and had led to great difference of opinion. The Lord Lieutenant had sought to bring the contending parties in Dublin to an agreement, and it was hoped this task would have been accomplished. The Chamber of Commerce, and a large portion of the inhabitants, were of opinion that the present corporation did not fairly represent them; a part of the proposed arrangement was, that the corporation should be dissolved, the wards remodelled, and the body formed in the same way as the municipal corporations of this country. The Lord Mayor and two other influential members of the corporation had agreed to this arrangement; and he had hoped, ere this, to be able to state that the matter had been satisfactorily arranged. A deputation from Dublin had, however, since waited on him, announcing that part of the arrangements could not be accepted; and he had now to announce that no agreement had yet been come to. The House ought now to consider, independently both of the Chamber of Commerce and the corporation, what was best to be done for the interests of the ratepayers. In accordance with the recommendations of the hon. Baronet the Member for South Devonshire, he was now prepared to introduce a measure, for the purpose he had alluded to. This was a very unusual course for the Government to adopt; but the circumstances warranted it. It would be necessary to apply to the Standing Orders Committee for leave to introduce the Bill, which he hoped would be generally acceptable to the citizens of Dublin, and which, if carried, he trusted would be the means of healing the breach now existing there. As a preliminary to their introducing this Bill, the Government should require either the withdrawal or the rejection of the private Bills now before the House.

MR. GROGAN rejoiced to hear the determination come to by the Government. Owing to the strong party spirit prevailing in Dublin, it was almost impossible to introduce any measure which should give general satisfaction. His only object was to get a good Bill; and with the view of securing that, he would suggest that any further proceeding on the three Bills now before the House should be postponed till the right hon. Baronet the Secretary for Ireland had introduced his measure.

MR. S. HERBERT thought the only chance of getting a good Bill was for the Government to take the matter into their own hands. At the same time, he hoped that the three Bills now before the House would not be kept in abeyance, but be rejected at once.

Mr. W. PATTEN hoped that all the three Bills would be dealt with in the same way.

Mr. REYOLDS did not altogether approve of the course proposed by the Government. He denied that the Council of the Chamber of Commerce represented any portion of the citizens; they were elected by a large body of merchants, but not by the ratepayers, and they were therefore little better than a self-elected body. Nevertheless, they seemed to consider themselves the beginning, middle, and end of all municipal respectability. This body, however, did not approve the Bill promoted by his hon. Colleague. They charged the corporation with not representing the citizens of Dublin; but this he (Mr. Reynolds) denied. At the same time, they proposed to give to the remodelled corporation all the powers possessed by the present municipal body, except that of collecting taxes, which was to be placed in the hands of the Executive. In England the municipal qualification was lower than in Ireland; the consequence was, that instead of there being 20,000 burgesses in Dublin, there were only 2,900, although there were 21,000 occupations assessed to the poor-rate at 800,000*l*. At present, Dublin was taxed by seven wards, six of whom were self-elected: to collect 200,000*l*. a year of taxation, there were 69 tax collectors, and each ward had its solicitor and board of officers. In the name of justice and mercy, he asked that Dublin should be emancipated from this tyranny. Such was the object of the Bill he promoted, on behalf of the corporation. Nevertheless, he was disposed to accede to the request of the right hon. Secretary for Ireland, and would consent that both the Bills should be postponed till the Government Bill was introduced; and if it was found to recognise the broad principle of no taxation without representation, it should have his support. He hoped the right hon. the Lord Mayor of Dublin would withdraw the Amendment he had proposed for the reading of the Bill a second time that day six months.

Mr. T. O'BRIEN consented to do so, on condition of both the Bills being postponed.

Mr. GROGAN was willing to suspend, but not to withdraw, his Bill.

The Earl of LINCOLN did not think it would be giving the Government Bill a fair chance, if any one of the three Bills now on the Paper were allowed to remain.

Mr. HUME was in favour of postponing the Bills, for if they were rejected altogether, perhaps nothing more might be done this Session. He suggested that the second reading might be postponed for three weeks, with the view of giving the Government time to prepare their Bill.

Sir W. SOMERVILLE said, he had made his offer in the most sincere and *bonâ fide* spirit; but it was an indispensable condition, that the present Bills should be either withdrawn or rejected.

Mr. J. O'CONNELL said, this was placing the inhabitants of Dublin in an awkward position. The corporation of Dublin, returned by the free election of the burgesses, had been for ten years keenly opposed by some, who considered themselves the most respectable of the inhabitants, but who, however, had not been able to bring any charge of neglect of duty against the corporation. One of these Bills was promoted by the corporation, another by the Chamber of Commerce, and the third by an individual. If these Bills were withdrawn, and if the Government Bill was not approved, the promoters of these Bills would be placed in a very disadvantageous situation.

Question, "That the word 'now' stand part of the Question," put, and negatived:—Words added:—Main Question, as amended, put, and agreed to.

Second Reading put off for six months.

DUBLIN CORPORATION WATERWORKS BILL.

Mr. REYNOLDS moved the Second Reading of this Bill, and said he should press it to a division.

Order for Second Reading read. Motion made, and Question proposed, "That the Bill be now read a second time."

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 34; Noes 126: Majority 92.

Words added:—Main Question, as amended, put, and agreed to.

Second reading put off for six months.

DUBLIN IMPROVEMENT BILL.

The Second Reading of this Bill was also put off for six months.

VANCOUVER'S ISLAND—AND THE HUDSON'S BAY COMPANY.

Mr. GLADSTONE wished to know from the hon. Gentleman opposite, the Under Secretary for the Colonies, whether it was the intention of Her Majesty's Government to introduce during the present Session any Bill for the purpose of adding to, or altering, any of the provisions of existing statutes having reference to the territories of the Hudson's Bay Company in America, with a view of giving facilities to the proceedings of the Company, or of any settlement formed under it in Vancouver's Island? and if so, whether such Bill would certainly be introduced at an early period?

Mr. HAWES said, the only Bill intended to be brought in by the Government was a Bill about to be introduced into the House of Lords by the noble Lord at the head of the Colonial Office, the object of which was to establish courts of judicature in Vancouver's Island. At present, the law required that persons should be sent for trial to the courts in Canada; but as it would be impossible to carry out that Act if Vancouver's Island was colonised, it was deemed necessary to introduce a Bill for the purpose of establishing courts of judicature in that island. The Bill for this purpose would be introduced before Easter.

Subject at an end.

TRANSPORTATION TO SOUTH AFRICA.

Mr. ADDERLEY, after presenting a petition, signed by a large number of the colonists of New Zealand, praying that these colonies, which had been hitherto untainted by convict labour, might be still preserved from its contagion, proceeded to call the attention of the House to the Motion of which he had given notice, on the subject of the intention of the Government to establish penal settlements in South Africa. He could not but regret deeply that in moving that an humble Address be presented to Her Majesty, praying Her to relieve one of Her colonies from an infliction which they deeply felt, and strongly resented, anything he could have to say on the subject should in the slightest degree bear the character of a personal attack. Nothing was further from his mind in bringing forward a national grievance than the mere implication of any individual in the blame attached to that grievance. For his part, he simply looked on the Members of the colonial part of the Executive as the A B C of a problem rapidly working out to this conclusion—the destruction of the colonial empire. But, on the other hand, he did not see why any mere scrupulous delicacy towards men high in office should stop the mouth of any hon. Member in the House from freely and fully stating a public grievance. He entertained the highest opinion of the noble Earl the Secretary of the Colonies, and fully believed that he was actuated by high-minded purposes in carrying out his intentions. In moving this Address, he wished, in the first place, to guard the question from two misconstructions to which it might be liable, and particularly so in his hands. The first was, lest the House should think the question less important owing to its being brought forward by one of so little experience, and so little known or connected with a question of such vast importance; the second was, lest by any unsuccessful handling on his part, a question of such importance should be mixed up with other collateral questions, and not be allowed to stand upon its own footing. With regard to the first, he was so far peculiarly qualified to bring forward the question, that he was entirely unhampered by prejudice on the subject; and it would be absurd to say that he had brought forward the subject merely with a view of making a hostile attack on the Government. In this case, at least, the colonies would understand that they were not indebted to any party spirit for the chance of being heard in that House. He was speaking on behalf of that large and growing portion of this empire who were anxiously watching how this country would fulfil its great destiny—in no respect greater than with respect to its colonial empire—who were watching with intense interest how it would fulfil its destiny as a parent of new nations—whether it would treat them as children or as slaves—rear them or degrade them—surround them with all the elements of strength and greatness, or stunt their growth by infecting their youth with all the corruptions of its own decrepitude. With respect to the question itself, he thought he should best consult its interest, as well as the patience of the House, by at once simply and shortly stating the case which he wished to bring before the notice of the House. His case was, that the noble Earl at the head of the Colonial Office having decided upon a new experiment in convict discipline, which would inflict the first and severest part of the punishment in solitary confinement in the penitentiaries of this country—the second portion in some kind of probation in one or two military stations, and then spread selected convicts, under tickets of leave, over the largest possible range of the dependencies of this country—had begun to carry out this new experiment, by recommencing transportation to New South Wales, with the consent of the Legislative Council of that colony, and by commencing, for the first time, the system of transportation to the Cape of Good Hope, not only without the consent, but even without consulting the wishes, of that colony, and proceeded in so doing against its general and strong remonstrance. He would not stay to consider the value of the consent of the Legislative Council of New South Wales. That consent was obtained by the promises of the Government, that for every convict sent to that colony, there should also be a free emigrant sent out. In answer to the repeated applications of the colonists, they had been told by the Colonial Office that there were no funds with which to give them that upon the faith of which the consent was obtained. The latter part of the contract was never carried out. The colony had the convicts without the free emigrants; and he must say they deserved the treatment they had received, for accepting the proposition of the Government upon such disreputable conditions. He did not wish to discuss the value of that consent so obtained. The consent of legislative councils was not, in his opinion, worth much. But what must be the amount of the dissent of the colonists of the Cape of Good Hope, which could have found its way to this country through the narrow and meagre channels of popular opinion which existed in the close constitution of that colony? It must, indeed, have been a dissent of the strongest kind. Now, the justification of the noble Earl the Secretary of the Colonies, was this—that because they had spent a certain sum of money in conducting the Kafir war, they had a right in return to demand some such service from the colony. That was the justification for this discreditable exaction of unwilling service. He appealed to the House against the impolicy of treating their dependencies in such a manner. He appealed against the gross injustice of selecting a weak dependency upon which to try this experiment, instead of applying the principle impartially to all of them. He appealed against the mean, ungenerous justification of the noble Earl for the measure in question. He appealed to the House most confidently on these three grounds—to their sense of honour and their love of freedom; he appealed to Her Majesty herself to wipe out this stain from Her Administration; and as speedily as possible to assuage the just irritation consequent upon so flagrant an act of capricious tyranny. He looked at this question simply as one of colonial policy, and entirely distinct from that of secondary punishments; and he appealed to the House—knowing, as he did, its inclination, from the freedom of its debates, to digress into collateral subjects—he appealed to those interested in colonial questions, not to clog this question with the consideration of what was merely a collateral subject—the philosophy of punishment. He appealed to those interested in the large, important, and vital question of secondary punishment, not to bring that subject forward as a mere incidental episode to this debate. Should any hon. Gentleman think, that by his avoiding the question of secondary punishments, he was blinking any arguments against his position, he would at once remove all such suspicion by stating that he was ready, at once, for the purpose of this debate, and for the sake of argument (though he did not concur in the opinion), to admit all that they wished upon that subject. He would admit, for the sake of argument, that those convicts who were sent to the Cape of Good Hope would be as serviceable to the colonists there as servants as they were a good riddance to this country; he would even further admit, that if the Cape of Good Hope ceased to remonstrate, his argument would fail; and he would even go further, and admit, that if the Government were prepared to carry out the measure equally and impartially to all the colonies, the greater part of his accusation against them would fall to the ground. Having admitted all this, it would be clear that any hon. Member who opened the great subject of secondary punishments would be speaking utterly beside the question. He did not ask the right hon. Baronet the Secretary of State for the Home Department to notice his remarks, which did not apply to his department. He knew that he had carefully applied the acuteness of his mind, and, he would add, the goodness of his heart, to the consideration of the system of secondary punishments. He would bear him out in the opinion, that their connexion with the subject of colonial administration had never been a reputable one. They began by making colonies to send their convicts to, and they now sent convicts to maintain their colonies. The transposition of the two propositions betrayed the fallacy of their connexion; but he did not wish the Home Secretary to discuss that fallacy now. He would have opportunity enough to deal with that question soon, and to prove that the difficulties connected with it had never yet been traced to their real source, the perennial fountains of crime in the social system of this country. Having thus narrowed the subject, all that he had to do was, first, to prove his allegations against the Colonial Department, namely, that they had sent convicts for the first time to the Cape of Good Hope without consulting the colonists, and that they proceeded to do so against their remonstrances. That was his first point. He would then endeavour to prove that the Cape of Good Hope, of all the colonies, had the greatest right to remonstrate against this infliction upon them; and then the main point of all was, that this conduct on the part of the noble Earl at the head of the Colonial Department, if not repudiated by the House, would be, upon its part, a public adoption of a retrograde movement in colonisation; and that, too, at the time that the country was crying out for an advance in the spirit of its colonial policy. Lastly, he would call the attention of the House to the justification of the noble Earl for those acts, which he (Mr. Adderley) considered, if persisted in, would be injurious to the honour of the country, disastrous to the colonies, and dangerous to their liberties at home. With respect to the first point, this was the first time that convicts had been sent to the Cape of Good Hope, though he believed that there was an erroneous impression in the minds of many hon. Members existing of a precedent. About ten years ago a philanthropic plan was formed, of sending orphan and foundling boys to Robben Island in Table Bay. So great, however, was the feeling which was raised against it, that it was found necessary to give up the plan. The bare idea that these boys might be convicts, led to a remonstrance similar to the present complaint. Nothing could show more clearly the sensitiveness of the people upon this subject. There was another circumstance which might also perhaps give rise to an erroneous opinion upon this subject, and lead hon. Members to suppose that this was not the first time that convicts had been sent to the Cape. In the year 1842 a long correspondence took place between the two Secretaries of State and Mr. Montague, Secretary of the Cape of Good Hope, as to the best mode of dealing with the convicts under sentence of the Cape courts. At another period there was a proposal made to send convicts to the Cape, under certain restrictions. It, however, was not considered feasible to send them, even with these restrictions, and the suggestion was withdrawn upon the remonstrance of the colonists. There was, therefore, no possible precedent for the case before them. Convicts now were sent out for the first time, from any country, and under any circumstances, to the Cape of Good Hope, and they were sent out without consulting the colonists. Would that that were all! The plan had, however, been persisted in, against the remonstrance of the inhabitants. Would that even that were all! By the most ingenious exaggeration of insult, simultaneously with the announcement of the plan for sending convicts to the Cape, some instructions were sent to the Governor, by way of a curious pathological experiment, to test and report upon the sensation produced. *Castigatque, Auditque.* The colonists had scarcely heard the announcement, when a large meeting was immediately convened in order to give them an opportunity of expressing their opinion upon the subject, and the result was a memorial to the Governor, praying him to use his influence to prevent the plan from being carried into effect. He was sorry that this memorial, with other documents, had not been laid upon the table of the House; he had asked for them repeatedly, but had not been able to get them from the Colonial Office. The answer he had received was, that they had not got them. He saw that the hon. Gentleman the Under Secretary for the Colonies was taking a note of that assertion. He might not have asked with anything like official accuracy of expression, but he had sufficiently identified the papers for which he inquired. He might have asked for papers A, which were technically designated B, but he had made his application perfectly intelligible; yet the only answer he had received was, that there had been no such documents received. All of them, however, had found their way to England, and had been in this country for the last two months. This large meeting of the inhabitants of the Cape of Good Hope—the largest meeting ever known there—unanimously came to an expression of opinion, from which he would read two or three extracts to the House. They resolved—

"That from the vast extent of this colony, the sparseness of its population, and the impossibility of maintaining an efficient police, except in very limited localities, the introduction of men from Great Britain and Ireland capable of committing crimes so heinous as to justify the high penalty of transportation, would be inexpressibly dangerous to life and property."

The meeting also adhered—

"to the determination expressed in 1842, in a petition to the Queen, that they will not consent to the admission of convicts on any terms or conditions whatever; and they pledge themselves now, as then, should any such be sent, not to employ or receive them into their establishments; and they trust that such a proposal will never again be submitted to the people of this colony by the British Government."

Another resolution was to the effect—

"That the meeting has further learned, with pain and dissatisfaction, that Her Majesty's Government have resolved, without consulting the sentiments of the colonists, to transport to the Cape of Good Hope, as a place of detention and punishment, a certain class of criminals convicted of treason and felony in Ireland; and that a memorial be presented to his Excellency the Governor, praying that, should any of those convicts arrive before Her Majesty's pleasure can be known, he will cause them to be removed from on board the transport directly to Robben Island, and there detained without communication with the colony, as the convicts were in former times, until Her Majesty's Government order their removal to such other place as they see fit."

There was something like English spirit in that. The colonists also sent a petition to the Queen, in which they stated—

"That the colony of the Cape of Good Hope, has never, at any time from its first settlement, received from Europe or elsewhere, any portion of its population out of prisons or penal establishments; but that, on the contrary, certain forms and provisions, as evidences of good character and securities for good behaviour, were required of all strangers permitted to enter or reside in it. That while thus endeavouring to protect the labouring classes of this community from so great an injury, your memorialists desire also to express to Your Majesty their regret that the noble Earl the Secretary of State for the Colonies should have thus dealt with the most vital domestic and personal interests of the colonists, without communicating his designs to the Executive Council of Government, or to the Legislative Council of the Cape of Good Hope, and in direct opposition to the official report and written opinion of his Excellency the Governor. Your Majesty's memorialists therefore humbly pray that this colony of the Cape of Good Hope and its dependencies may not be made a depôt penitentiary or place of confinement, or of punishment, or of refuge, for criminals of any description, whom they at the same time pledge themselves not to employ, or to receive into their establishments on any terms; and that Your Majesty would be graciously pleased to direct, that when questions of purely domestic policy, affecting the inhabitants of this colony, are under consideration, they shall be communicated to Her Majesty's loyal subjects here through the constitutional channels, before being finally resolved on."

That was the second document of the kind. The third was a memorial to the Governor of the colony himself, in which the colonists appealed to his well-known sympathy with their remonstrances; but he did not know that there was any necessity for his reading any extracts from that memorial to the House. One would think that the reception of three such documents as these—the resolution unanimously agreed to by a large public meeting, the petition to Her Majesty, and the memorial to the Governor, appealing to his own openly avowed sympathy with their remonstrances, might have affected the mind of the noble Earl the Secretary for the Colonies, if they did not appal him. But it did no such thing. On the 15th of February last, in another place, the noble Earl simultaneously announced his plan of sending out convicts to the Cape, and his utter disregard of the torrent of indignation which such a scheme had called forth. He had lately learnt from the Governor of the Cape, that the announcement of the Government's intention to send convicts there had excited very general dissatisfaction. But the colonists should bear in mind that Parliament had voted 1,000,000*l.* for the Kafir war; and, after making such sacrifices, this country was entitled to require from the colony a service which might be rendered without injury to its interests. *Sic placuit.* The noble Earl decided that the importation was for the good of the colony, and there were miles enough of ocean over which their complaint must be wafted, and strength enough in this country to stifle the complaint when it arrived. He thought that he had now proved the ungracious manner in which this act of the noble Earl had been done. He wished next to prove that the Cape had special grounds for remonstrating against an infliction of this sort. The Cape of Good Hope was an old and respectable Dutch settlement. It was colonised by the Dutch almost simultaneously with our emigrations to North America; and the New England emigrants having made a halting place of Holland, on their route to America, might be considered almost as half brothers in origin with the inhabitants of the Cape, as they certainly were in character. The Cape settlers bore the reputation of having adopted a quiet, orderly, and religious tone of society; and an infusion of a similar character took place afterwards, in consequence of the revocation of the edict of Nantes, when a number of French Protestant refugees settled in the colony—men, described by Macaulay as a loss to their country, of intelligent minds, industrious habits, and austere morals. He believed that at this moment the Cape colonists preserved their peculiar character, and that they presented a very favourable contrast to certain stirring, money-making settlements, where the moral tone of society was more unscrupulously sacrificed to material interests. From what he had seen of the Cape merchants in London, he was induced to believe that this character of the colonists was correct. Certificates of good character used to be required before a person was permitted to reside in the colony; and he might mention some other minute regulations of a somewhat puritan character, if he did not think that he might provoke a sneer, though those regulations at least went to prove the sensitiveness of their morality. He would confidently ask the House, however, whether such feelings ought to be outraged or respected? But there were other grounds on which the inhabitants of the Cape stated their peculiar unfitness for being experimented upon with convicts. They maintained that they had a frontier surrounded by barbarous tribes—a very dangerous neighbourhood for convicts at large, with tickets of leave. They would probably become missionaries of some sort; but whether theirs was the kind of mission which this country would like to encourage was a different question—or whether it might not neutralise the effect of the present missions—or whether the peculiar choice of a Celtic infusion was a well-calculated admixture to the elements of trouble already there. Then, again, the colonists alleged as another peculiar ground of disqualification for the experiment, the sparseness of their population, giving even a small influx of convicts a dangerous proportion to the population they must mix with. The last proposition which set forth their own unfitness for the experiment was certainly a happy one, namely, that they were not yet prepared with gaols and police to receive the criminals sent, still less to be sufficient for the increase of crime to be expected from the infection of their example. He would now hasten to what he conceived to be the main point of the whole position, namely, that if this measure of the noble Earl were sanctioned by the House, it would amount to a retrograde movement in colonisation. There were two ideas of colonisation. One, treating a dependency like a slave; the other, as a child was treated by its parent, yet not in nonage, but after setting up for itself a separate establishment of its own, which ought to be worthy of its parent's house, yet incapable of injurious rivalry, bound by the indelible ties of language, origin, interest, and character. Such were our colonies in earlier times. Such was the origin of those settlements whose founders were headed by Lord Baltimore, and Penn; and such were those New England colonies which showed so strong a family resemblance to the Cape of Good Hope, that, reflecting on their present contrast, one could give the Cape the melancholy encouragement,

> "Si qua fata aspera rumpas,
> Tu Marcellus eris."

De Tocqueville said, speaking of the English colonies, that throughout their whole history they had flourished or declined, in proportion to the liberal terms of their original establishment. This remark, he thought that history would bear out; and this country had lately exhibited its desire to return to its earlier models in its projects for the settlement of Port Phillip and New Zealand. But there was a totally different system connected with the measure before the House. The conduct of our North American colonies showed what would be done if we tested too roughly the strength of those ties of affection which bound the colonies to the mother country. What a fatal time it was when we tried the patience of those colonies, and treated our children as if they were slaves? We tried the patience of the Americans in precisely the same way as the Cape of Good Hope had been tried by Earl Grey. England and America together had conquered Canada; and England demanded from America the expenses of that conquest in the shape of services to be rendered her, against the will of the colonists. So, in the Cape of Good Hope, England had defended the colony in a frontier war, and claimed the acceptance of convicts as a service in return. The parental interests alone were thought of, and the filial remonstrances were unheeded. As the Cape, however, was not yet strong enough, like

America, to emancipate herself, the noble Earl would have all the advantage of the difference in the resources and circumstances of the two countries. America emancipated herself, saying, "I am not only willing, but anxious, to remain your child, but I am too strong to be your slave." She separated herself from England, and with her we lost all that was dignified and noble in our ideas of civilisation. We set about making elsewhere the cesspools which she had indignantly refused to tolerate. Upwards of 100,000 convicts were collected in this country, and under the pressure of necessity our statesmen created the *monstrum horrendum*, a convict colony. Carlyle had related, and with just disgust, that when Louis XV. found that all remedies failed to cure the disease which he had contracted by his vices, he fell upon a device of the grossest superstition, and fancied he could restore health to his own vitiated body by debauching virgin purity.

"Mutato nomine, de te
Fabula narratur."

He was not in the slightest degree trespassing here on the question of transportation, which was but one illustration of the servile or debased system of colonisation; but if the House adopted the measure of the noble Earl, they would be adopting by this glaring example the whole principle of that debased system. Now, let the House count the cost of this system of colonisation. If we treated the colonists as slaves, we must keep them altogether; but if we treated them as children, they would be able to maintain their own establishments. The Cape of Good Hope had already refused a Militia Bill, saying, that if we allowed a free government, they would defend themselves; but if we insisted on their service, we should maintain them. If a comparison were made between the cost of freemen and of slaves, it would be found that a generous treatment of the colonies would be most economical also. But if we were to have this system at all, let us carry it out boldly and impartially; let us not begin with the weak. Let us go to Canada—to the West Indies—to New Zealand. Let us not begin with the Cape first, at all events. And now a word with respect to the justification which the noble Earl had assigned for this measure, namely, that England had spent a certain sum in the Kafir war, and, therefore, that we had a right to demand the services of the Cape. He would beg the attention of the House to the principle involved in this justification, which was not new, but which had been illustrated by other cases already. In a despatch addressed by the noble Earl to the Governor of New South Wales the other day, Earl Grey instructed him to use this argument, namely, that we had spent a good deal of money in the erection of gaols in New South Wales, and that, consequently, we were entitled to send them convicts—a sort of argument in a circle, convicts requiring gaols, and gaols convicts, and so on *ad infinitum*. But, in truth, we had no right to claim compensation from colonists of the Cape for the expenses of the Kafir war, as that war had been occasioned by our own misgovernment. It was just like a landlord claiming compensation from a tenant for the damage done by his game to his tenant's property. Earl Grey's description of the Kafir war, in his despatch to Sir H. Pottinger, of November, 1846, was to this effect:—

> "It was a contest to be lamented, a great expenditure of public money, a wide destruction of private property, an interruption of the peaceful pursuits of the colonists, leaving an abiding sense of insecurity, and all the more lamentable disasters incident to war with a barbarous enemy."

Now, it was hardly to be wondered at, that, under these circumstances, the colonists should think that compensation was due to them; and Sir H. Pottinger, in March, 1847, supported that claim for compensation, to which he thought they had a right. When, however, Earl Grey said that he could not allow that claim, he never thought of saying that the claim was the other way—that had occurred to him since; but an inverted reason was quite enough for a strong Power to use towards a weak one. The compensation, however, which we now claimed from them, was of a kind which they said they were neither willing nor able to pay. He would ask the House whether it was not the most ungenerous thing ever heard of, for us to say that we had borne a great deal in this Kafir war, and that we should make the Cape colonists pay for it by calling upon them to render us servile services. He fully believed that the noble Lord at the head of the Government must feel his blood rise at being obliged to stand sponsor to an argument which, in proportion to its meanness, was so utterly at variance with his character. He was not alarmed lest the House should not agree with him; he did not so much fear opposition as apathy.

Would that he could transport some hon. Gentlemen to the Cape of Good Hope!

> "Segnius irritant animos demissa per aures,
> Quam quæ sunt oculis subjecta fidelibus."

He should in such a case soon have indignation as strong or stronger than that expressed by the inhabitants of the Cape of Good Hope. If he were to conceive a torture worse than that of Tantalus, it would be that of men inspired with all the spirit of English freedom, yet spending their lives in the fetters of a distant, irresponsible, unheeding control, cutting themselves among the tombs of frustrated energies. They were all for government by public opinion. By what public opinion was the Cape governed? By their own? No! that was disregarded utterly. By what then, if that House were apathetic? He hoped that public opinion would be awake in that House. He appealed to them whether they would save a Colonial Minister and lose a colonial empire, and whether they would be content to adopt a retrograde movement in colonisation? He would ask them whether they saw no danger in allowing an irresponsible despotism—only by accidents, such as these golden opportunities brought to light—to grow up in the bosom of this country, silently eating, like a cancer, on the vitals of our liberties? He would conclude by reading the words of his Motion, which, being somewhat quaint, might perhaps excite a sneer, and which, as they stood, did seem to go beyond his argument into the merits of the convict system generally; but they were the words of the colonists themselves, and as such he would submit them to the House. The hon. Gentleman then moved the Address of which he had given notice.

Motion made, and Question proposed—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased out of consideration for the honourable pride and moral welfare of Her subjects, the people of South Africa, to order that this hitherto unpolluted Colony may be spared the disgrace and affliction of being made a receptacle for the convicted criminals of the Mother Country, whether as prisoners, free exiles, or holders of tickets of leave."

SIR G. GREY could assure the hon. Gentleman that he was much mistaken if he anticipated anything like a sneer from him, either at the terms in which the Motion was expressed, or at the subject to which it related. He fully admitted the importance of the subject, and he agreed with the hon. Gentleman in many of the principles which he had laid down with reference to colonisation and the interests of our colonial empire. But at the same time he felt it his duty to warn the House against a hasty adoption of the resolution proposed by the hon. Gentleman; and he should, therefore, make some observations upon the substance of the resolution itself, and afterwards make some allusions to the particular charges which had been brought against his noble Friend at the head of the Colonial Department. It was with some surprise that he had heard the hon. Gentleman say that he would relieve him, as far as lay in his power, from the necessity of referring to the system of transportation, because the question before the House was quite separate from the question—"What were we to do with our convicts?" That surprise was certainly very much increased when he heard the hon. Gentleman's speech, which was directed against the whole system of transportation to the colonies, and which he termed a debased system of colonisation. He could certainly draw no other inference from the hon. Gentleman's argument against sending convicted felons to our colonies than that he was opposed to our system of transportation altogether; and sure he was that the House, if they adopted the resolution, would pronounce a verdict against the continuance of transportation. But his noble Friend the Member for Hertford had but the other day contended that sentences of transportation should not only be continued, but should be *bonâ fide* carried into effect. Did the hon. Gentleman, he would ask, mean by his protest against a debased system of colonisation, that convicts under sentence of transportation should be shipped from this country, landed on the coast of Africa, or some desert and uninhabited shore, and then left to shift for themselves? The hon. Gentleman had stated that Earl Grey had proposed a new experiment with respect to convicts, according to which, after having spent in hard labour here a portion of the period assigned as the duration of their sentence, they were to be removed to the colonies with tickets of leave. He did not understand the hon. Gentleman to object to the prior stages of punishment, but to the manner in which the convicts were dealt with afterwards. In 1846 transportation was found to have produced evils of such magnitude in Van Diemen's Land, that it was found necessary to suspend it altogether for two years; and it was this that had occasioned a necessity for a change. Was the hon. Gentleman prepared to say that a change in our criminal law must take place, and that sentences of transportation must not be passed any more; or did he mean to contend that the former law must still be carried into effect by transporting a mass of 4,000 or 5,000 prisoners yearly to one colony, without having undergone any previous punishment or reformatory process, corrupting each other till they became the very essence of iniquity, and finally being turned loose on society as emancipists? In truth, the Motion of the hon. Gentleman was but an illustration of the difficulties which he (Sir G. Grey) had felt, and continued to feel, with respect to the means of carrying out the sentence of transportation. All he asked of the House was, that if they were resolved to abolish the system of transportation they would do so openly and avowedly, and not by a side wind; and he trusted, therefore, that they would not vote for the present Motion unless they were prepared to draw a distinction, which the hon. Gentleman did not draw, between the Cape of Good Hope and other colonies. He (Sir G. Grey) was by no means prepared to say that there were not evils connected with transportation; there must be evils connected with the infusion into any society of persons tainted with crime. The object, however, now was, to remove this class of criminals—a very small class compared with those who were annually liberated in this country and restored to society—and effect their dispersion among communities where they might obtain a livelihood by honest labour. The hon. Gentleman had said that he had been obliged to make his speech without being able to refer to some papers for which he had moved. He regretted that this was the case, because he was quite sure that the hon. Gentleman, with his candour, would have spared some of the imputations which he had thrown upon his noble Friend. The hon. Gentleman said that Earl Grey sent out the convicts without consulting the colonists; secondly, that he had done so against their remonstrances; and, thirdly, that he had instructed the Governor to test the sensation created by that Act, and to send home the results. The hon. Gentleman said that the results had been in his possession two months, though he could not get the despatches; but he did not understand the hon. Gentleman to say that he was purposely misled by his hon. Friend the Under Secretary for the Colonies. There was an imputation, however, of intentional delay, to which he should not have thought it worth while to advert, had it not been received with a cheer. He held in his hand the original despatch containing the three memorials referred to by the hon. Gentleman, dated respectively the 19th and 22nd of December, and the 5th of January, and which were received on the 14th of March. Those despatches were about to be laid on the table; and had the hon. Gentleman waited he would have perceived that the imputation which he had thrown out was not warranted.

MR. ADDERLEY said, the papers to which he had alluded were in the *Morning Chronicle* of the 20th of January, and Earl Grey had stated them to have been in his possession on the 15th of February.

SIR G. GREY could only say that they were all received by his noble Friend on the 14th of March. Did the hon. Gentleman mean to say that the despatches of the Governor were in Earl Grey's possession at the time which he had mentioned?

MR. ADDERLEY said, he meant the memorials.

SIR G. GREY said, the hon. Gentleman must be aware that his hon. Friend the Under Secretary for the Colonies could not produce extracts from newspapers. He could only produce what had been received officially from the Governor of the colony. He admitted that his noble Friend had endeavoured to find other outlets for convicts besides Van Diemen's Land, and he consulted the colonies for that purpose. He sent a circular letter to ask them whether they were willing to receive convicts, being desirous not to take any final steps before the wishes of the colonists had been consulted. The hon. Gentleman the Member for North Staffordshire went on to say that Earl Grey not only did not consult the colonists, but that he persisted in sending out convicts, notwithstanding their remonstrances. Now, the fact was, that his noble Friend, having sent this circular letter, without waiting for an answer from the Governor of the Cape of Good Hope, directed a ship to proceed with convicts from Bermuda to the Cape, but he did not persevere in sending them out after remonstrances had been received; and he (Sir G. Grey) was not prepared to say that his noble Friend would persist in sending them after a decided expression of opinion on the part of the colonists against their transmission to the colony. He would shortly state the circumstances under which the ship was sent from Bermuda to the Cape of Good Hope. He had stated in a recent debate that great difficulties had been experienced in carrying out the sentence of transportation in consequence of peculiar circumstances which had recently occurred in Ireland, which had led to a great increase in the number of convicts in that country within the last two years. The average yearly return of the number of convicts sentenced to transportation previous to that period was about 600, while last year the number was 2,698. So far from any desire being entertained by his noble Friend at the head of the Colonial Office to force convicts on the colonies, he (Sir G. Grey) was considerably embarrassed with the remonstrances received from the Colonial Office against the number sent, and representing the great indisposition of the colonies to receive convicts. He had repeatedly stated, that as long as the law imposed the punishment of transportation, it was essential that the sentence should in one way or other be carried out; and he hoped that it might be ultimately carried out in a way that would remove the great objections which were so strongly felt in many colonies to receive convicts. In the mean time, while they were considering the steps which should be taken for this purpose, remonstrances were received from the Lord Lieutenant of Ireland, and from some Members of Parliament connected with that country, complaining that the gaols were crowded to such an extent as to be overflowing with convicts under sentence of transportation, and that there was a probability of disease of an alarming character breaking out in them. What did the Government do? They made every exertion to establish depôts for the reception of convicts sentenced to transportation, and which the law sanctioned them in doing in Ireland. One establishment for this purpose had been formed on an extensive scale at Spike Island. In the first place 600 convicts were placed there; the number was then increased to 800. He hoped soon they would be enabled to increase the number to 1,400. At the present time 2,000 convicts under sentence of transportation were confined in the different depôts in Ireland. A Bill was passed by Parliament about two years ago, by which they were enabled to send convicts from Ireland to Bermuda and Gibraltar, which was formerly not the case, as only English and Scotch convicts were sent to those places. The result was, that in 1847 the number of convicts from Ireland sent to Bermuda was, he believed, rather more than 700. In the course of last summer the Governor of Bermuda, Captain Elliott, wrote a letter, dated the 27th of June, 1848, to his noble Friend at the head of the Colonial Office, an extract from which he would read to the House:—

"I avail myself of this occasion to solicit the compassionate attention of Her Majesty's Government, as soon as any favourable conjunction should present itself, to the case of many other Irish prisoners recently arrived here. It will be remarked with anxiety, on examining the list of 704 prisoners sent from Ireland in the *Medway* and *Bangalore*, that many of them were convicted of stealing food, and agrarian offences—the first no doubt chiefly attributable to the dreadful calamity which befel the poorer classes of people during the last two years; and the last in a high degree to the inflammatory practices of others, in the time of their desperate need. Perhaps Her Majesty's Government may be pleased, taking all these circumstances into consideration, on the return of a state of comparative tranquillity in Ireland, to permit me to appoint a commission in this colony for selecting individuals from the Irish prisoners whom it may be permissable to recommend for removal to Australia, on the ticket of leave or conditional pardon. These prisoners are for the most part friendless men, in humble stations of life; and your Lordship will feel that they are entitled to any extenuating considerations which I can advance in their behalf, whilst they are conducting themselves steadily and submissively at this depôt."

His noble Friend had sent this despatch to him, and had consulted him as to the suggestions of the Governor with respect to the disposal of the prisoners. He (Sir G. Grey) answered—

"That, regard being had to the nature of the offences of which the convicts specially referred to by the Governor were convicted, and to the circumstances under which their offences were committed, and to the favourable report of their subsequent conduct, the inquiry suggested by the Government might be properly instituted with the view to the selection for removal with tickets of leave to Van Diemen's Land of such of those prisoners as, upon the result of the inquiry, may be considered fit objects for such an indulgence. The selection, however, was not to comprise prisoners who had been convicted of personal violence or outrage."

Soon after this, another letter was received from the Governor of Bermuda, as to a class of Irish convicts which had been sent to that colony, a great many of whom had not arrived to man's estate. In that despatch he stated—

"Poor and scanty food and the hard things of their infancy have for the most part left these lads with a lower stature and more childish appearance than their age alone would explain, though it will shock Her Majesty's Government to perceive that twelve of them are under sixteen years of age, and that one of thirteen years old has been sentenced to fifteen years' transportation for sheep-stealing. Sharp private whipping, as boys are usually corrected, and a brief season of separate confinement on short diet and hard work, under good guidance and instruction, would surely be a more appropriate punishment for these boys than transportation to the hulks. The reflexion of their condition on release from such association and training is appalling, both for themselves and society. I have ordered that these lads should be kept separate from the rest of the prisoners, and not be allowed to work in gangs with grown-up men."

Earl Grey allowed the Governor of the colony to appoint the proposed commission, with a view, if the report should be satisfactory, of sending a certain number of these convicts with tickets of leave to one of the colonies. At that time the pressure was very severe from other quarters. It became necessary to send to Bermuda a portion of the convicts of Great Britain, in order to remove a certain number who had undergone a probationary part of their sentence by being imprisoned at Millbank or Pentonville. His noble Friend also received further remonstrances from Van Diemen's Land, against a large number of convicts being sent there. It then occurred to his noble Friend, that an experiment might be made at the Cape with respect to the class of convicts to which allusion had been made in the letters to which he had referred, and that it could not be made under more favourable circumstances, although the remonstrances to which the hon. Gentleman the Member for North Staffordshire adverted had certainly not then been received. The parties who had so remonstrated were probably not aware that the convicts to be sent there were not tainted with the crimes for which ordinary convicts were made to undergo the sentence of transportation. He thought, therefore, that the Government might be justified in selecting a certain number of youths, and others, who had been sentenced for the first time for offences of a minor character, so as to make the experiment in a manner which would in the least degree be revolting to the feelings of the colony of the Cape of Good Hope, and, at the same time, in a way calculated to prove of benefit to the convicts themselves, by placing them in a position to exercise habits of honest industry. Before those convicts were sent to the Cape of Good Hope, the Governor of Bermuda received a communication from the Rev. Mr. Kennedy, the Catholic chaplain to the convicts there, in reference to a few cases in the list of transports which did not come within the class which the Governor had been instructed by the Government at home to refer to commissioners for examination; and on being satisfied that it was desirable that those cases should be inquired into, he directed that they should be investigated by the same board. He hoped that the hon. Gentleman would listen to this letter from the Roman Catholic chaplain at Bermuda as to these men. The letter itself was addressed to the Governor, Capt. Elliott:—

"Sir—I thank you most sincerely for your prompt attention to my recommendation of those few men whom I wished to be added to your number of convicts for the Cape of Good Hope, on terms of conditional pardon. I have every reason to suppose they will there be good and faithful subjects of Her Majesty, and useful members of society. The prisoners sent here within the last two years came under no ordinary circumstances; many, very many, for thefts, to which they were driven by dire distress and famine; and many also for political offences committed under fear and at times of excitement. They were mere creatures of others, entirely ignorant of what they themselves were about. I would further suggest to your Excellency the usefulness, as well as the charity, in persevering in the wise and humane course taken by you with respect to those convicts who are about being sent hence. You are aware that there are many others here of the same class of persons offering to our observation as fair a prospect for the future, and who, if sent, will hereafter be as favourably impressed. I entreat the same merciful consideration towards such others as may be deemed by those in charge of them as deserving of mercy."

He was not reading those papers with the view of in any way palliating crime, but to show that, in consequence of the peculiar circumstances which have recently existed in Ireland, sentences of transportation have been passed, perhaps necessarily, which, under ordinary circumstances, would not have been inflicted; but if these parties had been pardoned, and sent back to Ireland, it might have led to the feeling that crime might be committed with impunity, and that the sentences passed would not be carried out. The Government, upon these representations, suggested a course with reference to this class of convicts which they thought was more free from objection than any other that could be adopted, as these convicts were the least likely to prove in any way injurious to the Cape; but, on the contrary, might ultimately be found to become a useful class of colonists. He would read another extract from a subsequent communication which the

Governor of Bermuda had made to the Colonial Office:—

> "The Deputy Superintendent will cause the lists of the prisoners, who came out in the *Medway* and the *Bangalore* to be carefully examined, and will prepare a list of candidates for removal to Australia on the ticket of leave, observing the following rules in the preparation of the lists. . . . . I involve in this list all the prisoners convicted, for the first time, of the offences of sheep stealing, cattle stealing, larceny, or robbery, without violence on the person, putting at the head of the list the name of the prisoner best reported upon in the character columns from England, and proceeding with the classification by that rule."

In a subsequent despatch he stated that—

> "They should include lads who had not been convicted more than twice of robbery, unattended with violence to the person."

Such were the circumstances under which the convicts were sent to the Cape. He admitted that remonstrances had been subsequently received by the Colonial Office from the Cape of Good Hope, of the disregard of which the hon. Gentleman now complained; but orders for sending these convicts had been sent out before the remonstrances were received. But notwithstanding the exaggerated feelings of the inhabitants of the Cape at present, he hoped, upon the arrival of these convicts, and upon reflection on the part of the colonists, after they should be made acquainted with the real facts of the case, that they would bei nduced to admit, under less excited feelings, that these persons might become useful members of society upon their being properly distributed throughout the colony, and that ultimately, by honest industry, they might be a valuable acquisition to the colonists themselves. He would also state without reserve, that, in the ship which was now on its passage from Bermuda to the Cape of Good Hope, there were some convicts of a different class. One of these, whose state of health was such that the Government had been assured, on medical authority, that if he remained at Bermuda his life would be endangered, was John Mitchel, who had been convicted of a treasonable conspiracy, and who would complete his sentence at the Cape, if he reached that colony alive. He had already stated that his noble Friend, so far from having persisted in spite of the feelings of the inhabitants of the Cape of Good Hope, was disposed to concede to their opinions and remonstrances until they had ample time for reflection, and for experience of the plan, so far as it had been carried out, and that no more convicts would be sent there until there had been time for such experience. It never had been intended, nor was it then intended, to act against the unanimous feelings of the inhabitants of the colony. It was not worth while to engage in conflicts with the inhabitants of the colony in a matter of that kind. Before he sat down he would remind the hon. Gentleman, that when he went back to the early history of that colony, and described the high morality and principle which distinguished it, and the character of its institutions, it was only recently that slavery was abolished there, as it was in our own West Indian colonies, and that it had been one of the domestic institutions of the settlement, and in consequence of its being put an end to, a large section of the colonists moved beyond its boundaries. When, therefore, the hon. Gentleman said that society was not in any way tainted there, he could not help reminding him that the abolition of slavery in it was only of the same date with that in our West Indian colonies. He would only say, that he should deeply deplore any steps being taken to produce in that or any other colony anything which would check the diffusion of British habits, British principles, and British institutions. He did not know whether he need say more. He had stated the circumstances under which the convicts now on their passage had been sent from Bermuda to the Cape, and had described the character of these convicts, and also the inconvenience which was experienced by the Government, from the remonstrances of the colonies, as to the continuance of transportation. He believed that the apprehensions entertained at the Cape and in other places were, to a great extent, exaggerated, and that the evils might be greatly diminished by an increase in the number of colonies to which convicts could be sent, which would facilitate their dispersion, and prevent a large accumulation in any one colony. The hon. Gentleman was a magistrate, and, probably, took an active part at the quarter-sessions where the sentences of transportation were passed upon convicts; he would, therefore, suggest to him to bear in mind, when such sentences were passed—for a large discretion in that respect was placed with the magistrates and the judges—that he imposed on the Government the necessity of sending convicts in some stage or the other of their sentence to one of our colonies. He would remind the hon. Gentleman that he had taken a very unfair view of the case in assuming that the whole of the convicted criminals of this country were sent out to the colonies. He held in his hand some returns which had been laid on the table relative to the number of criminal convictions in England and Wales, which, however, did not include those from Ireland. It appeared that in the year 1847 there were sentenced to transportation in England, Wales, and Scotland, 2,726 males and females. With regard to England and Wales, the great majority of the convicts had been sentenced to transportation at the quarter-sessions. Of this number of 2,726, however, there were 326 too old to be sent out, and others were too infirm; so that the number which would be required actually to be sent out of Great Britain would be between 2,300 and 2,400. But what was the number of persons sentenced to terms of imprisonment for periods varying from three years to a few months or weeks, and afterwards returned to society at home? The number of persons so sentenced in the same year at the various assizes and sessions throughout the country was 15,956. The number of persons summarily convicted before magistrates was 68,641, all of whom, after the expiration of the periods of their imprisonment, were returned again to society, making a total of persons imprisoned, of 84,597. He hoped, therefore, that it would not go forth to the colonies that this country was proceeding to get rid of all its criminal population by sending them to the colonies, our wish being to send as small a number as possible to each. He trusted that the number of persons convicted and sentenced to transportation might be hereafter less than it now was; but, as he had stated the other day, he believed that this would be a valuable punishment to retain. He trusted, therefore, that the hon. Gentleman would be satisfied, on that occasion, on the part of the colony which he that night represented, as well as of the other colonies which he had included in his observations, that the moral injury likely to result from the system now adopted, was not so great as he had represented, and that convicts sent out with tickets of leave, after having undergone a part of their punishment, the number to each colony being limited, might be disposed and enabled to earn an honest livelihood; and that when they began life anew at the end of their sentences, they might add to the prosperity of the colony. He would not refer to the observations which the hon. Gentleman made as to the original settlement of the North American colonies, beyond reminding him that they were not altogether free from the taint of convicts. He would conclude by saying, that unless they resorted to capital punishments, or to perpetual imprisonment, while he admitted they should yield, as far as possible, to the feelings of the colonists on the subject, he trusted that Parliament would not hastily deprive the Government of the power of carrying into effect sentences of transportation.

MR. HUME said, the simple question was, would Government insist upon sending convicts to our colonies against the express desire of those colonies? The hon. Member for North Staffordshire, who raised this important point, had carefully endeavoured to keep the question of transportation separate from the question before the House; but the hon. Member had felt it necessary to introduce that question, with reference to the difficulties created by the overcrowded state of our gaols. He (Mr. Hume) had for many years past endeavoured to impress this particular subject upon the successive Governments of the country. Let him now repeat emphatically that the grand question of all in relation to this subject was how to lessen the amount of crime in this country. He should support the Motion before the House, because he was satisfied that, if carried, it would force the Government to apply itself to the most effective means of reducing the amount of crime, and, as one of the most effective means, to the extension of education to all classes—to each individual of the community. He did not condemn transportation as a principle, but he certainly considered that the House should exact from the Government a distinct assurance that convicts should not be forced upon colonies against the will of these colonies. He had no hesitation in expressing the belief that, under a proper system the transmission of convicts to consenting colonies might be rendered most beneficial at once to the convicts and to the colonies; but at present there was no Minister here—no Department whose business it was to make a proper classification of the prisoners previous to their departure. The whole thing was rank confusion. What was eminently needed was, a Minister of Justice, one of whose leading duties it should be to superintend such a classification of prisoners. Had there been such a Minister here, he would never have sent out to Bermuda as convicts, as there had been sent, numbers of boys of tender age, quite incapable of the hard labour to which convicts in that island were subjected. How was it proposed to remedy that overflow of our gaols which everywhere prevailed? It would never do, when men had once been sentenced by the laws, to let the Lord Lieutenant of Ireland, or the Home Secretary in England, discharge them from prison merely because there was no room for them in the gaols. Here were we spending six or seven millions a year for religious instruction; surely this expenditure ought to be so managed as to reduce the amount of crime amongst us. There must be something done, and, in order to compel the Government to do this something, he should vote for the Motion.

MAJOR BLACKALL agreed with much that had fallen from the hon. Gentleman who had brought the subject under the attention of the House, as to the want of classification; and this had particularly come under his own observation in Ireland; but he did not believe, if the resolution was adopted, any great advantage would result. He knew in Ireland there was an entire want of classification of the prisoners sentenced to transportation, and, above all, when the gaols were full, where young and old were placed together, without any regard to the nature of the crimes of which they had been found guilty. As to the colonies saying they would rather not have these convicts—if that plea was in every instance to be admitted, there would be no place to which they could send them. The state of the convicts proposed to be sent to the Cape of Good Hope had been alluded to by the right hon. Baronet the Secretary of State for the Home Department; and it appeared that they were not persons of general bad habits, but had, generally speaking, only been guilty of one crime, and he was satisfied, if they were sent to the Cape of Good Hope, so far from doing mischief, they would produce good. They had recently extended the boundaries of that colony, and before they could expect to colonise these districts, they must carry on several Government works, such as the formation of roads and the erection of forts to prevent the incursions of the Kafirs. All this might be advantageously done by a good system of convict labour, which would be under a strict system of military discipline. By doing this, they would ultimately open a new country to the enterprise of the colonists.

MR. AGLIONBY felt that if the Motion was carried or not, the result would be beneficial. He regretted that a greater number of Members did not seem disposed to take part in the debate, as colonial matters had been too long neglected in that House. He did not wish to bring any acrimonious charges against one Cabinet Minister or another, but it was most desirable that the Members of that House should take an active part in controlling matters connected with the colonies; and in this feeling he was satisfied that the public deeply shared. He thought that if the Motion of the hon. Member for North Staffordshire was carried in that House as the adoption of a permanent principle, much good would be effected, for the right hon. Baronet the Home Secretary admitted it, as he understood him, to be a good one. [Sir G. GREY: No, no!] The hon. Member read the Motion and said, he could not find a word in it to which the Government could object. He further understood the right hon. Baronet to say, that it was the intention of the Government not to send out convicts in any shape whatever, either on punishment or on tickets of leave, unless they had previously received the consent of the colony to which they were to be sent; and yet it appeared as if the right hon. Baronet could not have meant that, because such a course would have put an end to transportation altogether, for he could not conceive any colony so much debased as to express a wish that convicts should be sent among their population. It might be possible, indeed, that a number of colonists whose only care was to make money might petition for convicts; but how was it to be ascertained that the really moral and respectable inhabitants of that colony desired them to be sent? He would not now go into the general question of transportation, for it was of infinitely too great importance to be discussed; but the subject was one which the Government and the Legislature must take into serious consideration, and form some decided plan which should not be subject to fluctuation as this or that Minister held office, but one that should be settled, and in which the public would have confidence. The right hon. Baronet had asked what was to be done with these convicts—were they to be turned loose into this country? He (Mr. Aglionby) thought the danger infinitely less if they were turned loose here, in the midst of an immense population, where society was established and civilised, with an efficient police, and means for keeping them in control, than it would be if they were sent into a small, thinly scattered community, with a defective police. He regretted to hear the right hon. Baronet say, that he could not see the injury that would be done to the colony by sending out the particular class of convicts he named; and he begged to refer him to the information received from South Australia and New Zealand, in illustration of the effects that had been produced there by sending out convicted felons not undergoing punishment. The experiment that had been tried on what were termed the Parkhurst boys, who were sent to Australia in 1843, ought to teach the Government a lesson. These "seedlings of crime," as they were termed, so far from responding to the expectation that had been formed from their careful training in the Parkhurst prison, exhibited every degree of refinement in vice and wickedness as soon as they arrived at their destination. The report which had been sent home to the Government by Mr. G. Clarke, the protector of aborigines in Australia, stated that the arrival of these Parkhurst boys in that colony had proved more injurious than was imaginable; they absconded from their employments and went to live in the bush with the natives, who thought they derived considerable advantage from having Europeans amongst them, but all they obtained was a deeper knowledge of vice; and it was a common trick for these boys to write obscene words on paper and to give them to the natives, who handed them in at the shops as explanatory of what they wanted to purchase. Of the two methods of dealing with convicts, it was by far the more dangerous plan to transport them, instead of retaining them at home, where they would always remain under the surveillance of experienced and competent officers.

MR. SCOTT thought that the right hon. Baronet the Home Secretary had misunderstood the object with which the Motion had been brought forward. His hon. Friend the Member for North Staffordshire contended that it was not fair, just, or politic to send the crime of the mother country to an unpolluted colony, and that although the Government might have the right to do so, it was not wise or right to enforce that right against the will of the colonists. That convicts should be employed upon public works in such places as Bermuda or Gibraltar was not complained of; but the question was whether we had a right to inflict upon colonial society the offscourings of our own people, and send those whom we would not permit to mingle with the population at home to contaminate innocent communities. He would suggest whether it would not be more fair and just that convicts who had worked out their terms on the public works should be required to pay their passage money home instead of being sent to mingle with the colonists—unless, indeed, the colonists were willing to receive them. The amount of crime and destitution in this country—and there were nearly 2,000,000 of paupers in the workhouses, or receiving relief—would of necessity cause an increase in transportation. He had no doubt that the right hon. Baronet opposite, and the noble Earl at the head of the Colonial Department, would do all they could to prevent the contamination of the colonies by too great an influx of convicts; still it should be remarked, that in one colony, Van Diemen's Land, three-fourths of the adult population were either convicts or persons whose sentences had expired.

LORD J. RUSSELL said, that he should not have taken part in the debate had not the meaning of his right hon. Friend the Home Secretary been apparently misunderstood by the hon. Member for Cockermouth, although it had been very clearly put before the House. The hon. Gentleman seemed to suppose that the purport of the Motion was to declare that no convicts were to be sent to the colonies without the consent of the colonists, and that his right hon. Friend agreed in that construction of the Motion. What his right hon. Friend said was very different; and he objected to the Motion, in the first place, because, from the use of the terms pollution and disgrace, in respect of transportation to any colonies, it might be inferred that transportation was for ever to be abolished. That was a just inference on the part of his right hon. Friend; but what he said in relation to the immediate subject of discussion, on the case of the transportation of a certain number of convicts to the Cape of Good Hope was, that, supposing there was a general and universal feeling against transportation taking place in that colony, and that sentiment were persisted in, it would not be advisable or right to continue it.

That was also the opinion of his noble Friend at the head of the Colonial Department, and was the general feeling of the Government. He trusted that, so far as the object of the present Motion was concerned, the result had been satisfactory to the hon. Mover, and that, after what had been said with respect to transportation to the Cape of Good Hope, he would not seek to place upon the journals of the House a general declaration leading to the inference that if any colony should hereafter declare an objection, that would be sufficient to cause the discontinuance of transportation. To that length he (Lord J. Russell) was certainly not prepared to go, as it would be equivalent to a discontinuance of transportation for ever; for he had no doubt that in no colony whatever would there be any difficulty in getting up a petition, numerously signed, against transportation. With respect to the general subject, it was far too vast and wide to enter upon at the present moment. He would merely remark that the opinions of the hon. Member for Berwickshire who had last spoken appeared to be the reverse of those which had been hitherto held on this question. The general opinion, so far as it was favourable to transportation at all, had been this—that persons who had been guilty of any crime, and who had been convicted in this country, generally, indeed almost always found, after leaving prison, great difficulty, from the general supply of labour, in obtaining any employment; and therefore it was thought desirable that a portion of their punishment should take place in some distant colony, where labour, instead of being in abundance, as here, was in demand, and where these persons would not be subjected to the difficulties which persons having lost character experienced in obtaining employment in this country. But the hon. Gentleman made a proposal precisely the reverse, and said, let the convicts work out their punishment in the colonies, and then let them pay their passage home.

Mr. SCOTT explained. What he said was, that they should pay their passage out of their earnings while employed on the Government works, as they were now employed at Bermuda and Gibraltar.

Lord J. RUSSELL: And to return here. But the course that was advisable with respect to Gibraltar and Bermuda would not be so as regarded New South Wales, for example. On the contrary, that being a colony where labour was in considerable demand, it was desirable that such persons should be induced to remain there, in order that they might at once contribute their labour, and preserve the chance of regaining the character they had lost. In these colonies convicts who were well disposed never found a difficulty in obtaining employment. He remembered the case of a man who had happily profited by the moral and religious instruction he had obtained at Pentonville, and who obtained employment in a shop in this town. He continued to act respectably and honestly; but unfortunately some of his former associates found him out, and they did what under such circumstances was always done, they gave information to the master of the shop, and induced him to suspect the honesty of the man, and to turn him off. No resource was then left to this man but to go back to his old associates. Now, in the colonies, where the demand for labour was great, persons situated as in the case he had referred to would find employment. He did not, however, wish to continue this subject, and would only express the hope that the hon. Gentleman the Member for North Staffordshire having obtained what he required, would not persist in his Motion.

Mr. DISRAELI: I do not think, after what has fallen from the noble Lord and from the right hon. Gentleman the Secretary of State for the Home Department, that my hon. Friend would be justified in pressing this Motion to a division. The hon. Member has made a most able statement, and has called the attention of the House to a subject which I am sure will receive the consideration its importance deserves. My hon. Friend has said, that it is not his intention to open up a discussion on the general principle of secondary punishment. I think it would be very inadvisable that any such debate should take place on the present occasion. If the subject of secondary punishment is not to be made a matter of debate to-night, every thing that my hon. Friend wishes has been conceded by the Government in a fair and frank manner. There is, however, one observation I wish to make, and that is, to express a hope that if this great question is really to be considered and decided on, the Government will not come to any determination respecting it on particular grounds, such as particular expenditure, as in the case of the Kafir war, or any thing of that kind. I trust they will take a general view of the question, and be guided by principle only, for I think it would be wrong to say, that any policy should be adopted by the mother country which would be regarded by the colonies as an infliction. I think my hon. Friend was, to some extent, misunderstood with respect to the documents to which he referred. He alluded to a memorial from the inhabitants of the Cape, and also to a despatch enclosing that memorial to Earl Grey. I believe that those documents appeared in the public journals in January last; and, bearing in mind that they were referred to in another place by the Secretary of State for the Colonies in February last, I think my hon. Friend was justified in the course he took. Under these circumstances, I protest against the Secretary for the Home Department saying that the documents in question were nothing more than extracts from newspapers. Surely they were public and official documents, otherwise they would not have been referred to in another place by so responsible an authority as a Secretary of State. I am obliged to my hon. Friend for the very able manner in which he has brought forward this question; and as his object has been gained by directing the attention of the House to it, and eliciting an expression of opinion from the Ministry, I think the better course by far would be, not to proceed further with the Motion.

MR. HAWES said, the documents in question did not reach the Colonial Office before the 14th of March, and therefore it was impossible before then to lay on the table of the House documents which, up to that time, had not been sent officially to the Government.

MR. ADDERLEY said, that Earl Grey was reported in *Hansard** to have said on the 15th of February that he had lately received from the Governor of the Cape of Good Hope an intimation that the Government intention to send convicts there had excited dissatisfaction.

SIR G. GREY said, that the particular documents which had been alluded to by the hon. Gentleman had not been received at that time; but he was not aware whether or not there had been a previous despatch sent, stating that dissatisfaction had been excited on the subject.

MR. HEYWOOD said, that there was one colony which was desirous of obtaining convict labour, and that was the Mosquito territory. When he was in Jamaica two months ago, he met there Mr. Christie, the Consul of Mosquitia, who was on a visit to Sir Charles Grey, to endeavour to obtain convict labour for the completion of the public works at Grey town, the seaport of the Mosquito district. A meeting of several governors of the West India Islands had also been held lately to discuss the proper colony to which they should send their convicts. He appealed to hon. Members who were acquainted with courts of justice, in favour of the maintenance of transportation, which was a punishment regarded in a far more serious light by criminals than imprisonment. He considered that arrangements might be made by Government with colonies for the employment of convicts in public works.

MR. ADDERLEY, in reply, disclaimed all intention of making a personal attack upon Earl Grey. He was not actuated by any personal motives, for he had not the honour of the noble Earl's acquaintance; but had brought forward this Motion purely on behalf of the colonists, whose remonstrances had been disregarded. It appeared to him that the whole of the argument of the right hon. Baronet the Home Secretary had been addressed rather to the interests of this country than having any reference to those of the colonies. But as he (Mr. Adderley) now distinctly understood from the right hon. Baronet opposite, that the sending of these 250 convicts to the Cape was upon a great emergency, and if he had not actually given a pledge that no more convicts would be sent to the Cape, he had at least said that any remonstrance from the colonists against the sending of convicts would be duly considered by the Government: having obtained that point, he was satisfied without pressing his Motion to a division.

SIR G. GREY wished it to be clearly understood that his noble Friend the Secretary for the Colonies, having thought it advisable to consult the colonies with respect to the introduction of convicts into them, and having intimated his intention not to send convicts to colonies not now receiving them until he had ascertained their opinion, did not intend to disregard the wishes of the colonists. The hon. Gentleman the Member for North Staffordshire was right in saying, that any remonstrances from the colonies upon the subject would meet with due consideration at the hands of the Government; but he (Sir G. Grey) would give no pledge that a remonstrance from a colony would stop transportation to it, as there might be a difference of opinion in a colony on the subject. The despatch lying before him stated, that the number sent to the Cape was 300; that there were nine prisoners, also Irish, recommended by Mr. Kennedy, the Roman Catholic priest, on account of their good conduct; that the persons sent had been selected with great care, as those who seemed to deserve such a boon; and attention had been directed in the selection to their health and strength, so that they might be no burden to the colony.

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* Parliamentary Debates (Third Series), Vol. cii. p. 752.

Motion, by leave, withdrawn.

MINISTERS' MONEY (IRELAND).

Mr. W. FAGAN, in rising to submit to the House the Motion of which he had given notice, said, that he regretted much that after the report of the Select Committee, appointed last Session, so important a Motion was left to a private Member of this House, and that the Government was not prepared to take it up. The result of the inquiry last Session had induced the people of Ireland to look on the tax called ministers' money as virtually abolished, and their unwillingness to pay was tenfold increased. [The hon. Member then proceeded to read three letters he had received since the commencement of this Session, two from the Rev. J. Elmes, the Protestant incumbent of St. John's, in the city of Limerick, and one from a Roman Catholic clergyman, all bearing on the subject in question, and complaining of the difficulties connected with the collection of the tax.] With such strong pressure on the part of a Protestant incumbent deriving his income from the obnoxious tax, independently of still stronger pressure on the part of the Catholics of Ireland, he could not without dereliction of duty refuse to submit his Motion to the House after the Government had declined to take it up. Last year when he brought forward a similar Motion, he ventured to suggest that the substitute for ministers' money would be found in the revenue of the Ecclesiastical Commissioners, and he endeavoured to show that if the annual sales of perpetuities were reckoned an income, as they ought to be, there would be ample surplus to provide 15,000*l.* a year in lieu of their present income, for the incumbents of the eight corporate towns in Ireland that now pay the obnoxious tax. It was a source of gratification to him to find that the report of the Select Committee concurred with him, who was the first to suggest it, that in the ecclesiastical revenues was to be found the fund from which the substitute was to be formed. But before he went into that most important branch of the subject, he was anxious to show how far his statement last Session of the grievous nature of this tax was corroborated by the evidence before the Select Committee. He stated last year that from the very enactment of ministers' money, in the reign of Charles II., it was considered a hateful tax; and he proved that by showing, that amidst all his cares and troubles, James II., his successor, thought it wise policy to abolish it. He showed that from its very partial operation, being confined to eight corporate towns, it was a far more obnoxious impost than vestry cess, and yet vestry cess or church rate was abolished because of its being odious to the Catholic population of Ireland. He showed that it was more unjust than tithes, because tithes rested on the common law, and originated in voluntary assessment for the support of the bishops, the clergy, the repairs of the church, and the maintenance of the poor; while ministers' money was the enactment of a Protestant Parliament passed five years after the Restoration, and imposed on eight Catholic corporate cities, while the Protestant cities were exempt from the tax. He stated also last year that the Protestant clergy who were the recipients of this tax were anxious for its abolition. In this statement he was fully borne out by the evidence before the Select Committee. The Rev. Mr. Elmes, of Limerick, whose letters he had already read, was examined before that Committee, and he answered to a question by him (Mr. Fagan—

> "Why is the collection so deficient on the new valuation?—Simply for this reason, that I am reluctant to oppress the poor people who owe me the money according to law, and that I could not venture to destrain them, even if I were inclined. I am not inclined to do it, because they are mostly very poor and distressed people. If I were to venture to distrain them, there would be resistance; the law probably would be violated, and disturbance would ensue."

Again he is asked—

> "Is it your opinion this tax is exceedingly ob-

noxious to the people ? — I am not only of opinion that it is obnoxious, but I know it to be exceedingly obnoxious, and it is not more obnoxious to them than it is to the clergy—it is equally disagreeable to me to exact it, as it is to them to pay it."

He is then asked by the right hon. Gentleman the Member for Dungarvan, who was chairman of the Committee—

"In considering what substitute you would apply for ministers' money, do you think the Roman Catholic population should be entirely relieved from it ? — They should be entirely relieved from it ; so far as my own opinion is concerned, and not only the occupying tenant but also the landlord, because the occupying tenant in many instances is merely a person striving to obtain a livelihood for himself and his family; and differing in creed from us as they do in 99 instances out of 100, I consider we are not authorised by anything contained in the sacred Scriptures to levy a tax upon them for the support of our Church."

Again he is asked—

"Does not the same objection apply to the whole Church establishment ?—No. I think the tithes differ materially. Tithes are part and parcel of the rating of the land; if the land is free from tithe, the landlord is so much benefited by it, but that is not the case with regard to ministers' money levied on houses."

He is then asked—

"Do you not imagine that houses would set higher if they were relieved from the charge of ministers' money ?—I am sure they would not. It may look very well in theory, but it is not true in practice. A tenant takes a house, and he does not consider anything of the poundage leviable on that house."

The Reverend James Howie, an incumbent of one of the parishes in Dublin, is asked—

"Do you conceive ministers' money a very obnoxious impost ?—To the great mass of the people I do."

Again—

"When you speak of the great mass of the people, do you refer to the Protestant and to the Catholic population, or exclusively to the Catholic population ?—I think I may say in answer to that question, that to the generality of Roman Catholics it is objectionable ; and I think I may add, that a great number of Protestants, even those that pay it, feel that a different mode of collection would be very desirable."

Again he is asked—

"Do you mean to say that the Catholics object to the tax itself, and the Protestants to the mode of collecting it ?—I do, and I myself think that the present mode of collection is most objectionable ; I have not language strong enough to express my objection to it."

Again, Sir Henry Meredith, one of the Ecclesiastical Commissioners, is asked and answers the following question :—

"From your knowledge of the city of Dublin, and of the feelings of the people and the litigations and contentions incident to this tax, do you think it would be desirable to abolish it if some substitute could be found ?—No doubt of it ; I have been asked, as a friend I may say of the Establishment, and a friend to the Government of the country, to see what substitute could be contrived, and would be very desirable.

"Do you think that the finding of a substitute would be beneficial to the Church itself ?—Indeed I do.

"By the substitution of rent-charge for tithes and the creation of an ecclesiastical revenue of which you are one of the Commissioners in lieu of vestry cess, the clergy of the Established Church are no longer brought into immediate collision with the mass of the population ?—Certainly not, and it is a very happy circumstance for the country.

"But ministers' money I believe is the only portion of the income of the establishment which creates this unfortunate collision ?—I believe so, I am quite satisfied of it.

"And in that view would it not be most desirable for the sake of the clergy themselves, to abolish the tax ?—Yes, they are as anxious for a change as the persons who pay it, and perhaps more so : it would be more satisfactory to them."

Thus the clergy themselves and the friends of the Establishment are in favour of the abolition of this tax, though they may differ as to substitute. The evidence given before the Select Committee, as regards the feelings of the Roman Catholics on the subject, is equally strong. Mr. Creane, a Roman Catholic resident of Dublin, is asked by the hon. Member for Londonderry (Captain Jones) :—

"The Committee did not understand you to state your own objections to the ministers' money tax, but to state what you believe to be the objections of others, will you state what is your objection ?—My own objection is very strong against paying a Protestant clergyman. Being a Roman Catholic, I object that a Protestant clergyman should have the power by law to come in and seize my property without giving me any value for it, or my giving him any trouble in the service he is bound to perform. I have a very strong impression upon that ; but my opinion is, that it would be unjust to the present incumbents, to withdraw from them their income, and to abolish the tax, without giving them something as a substitute.

"Have you any other objection ?—I generally object to paying clergymen at all by any process of law ; my own opinion is, that if I wish to give a clergyman anything, that is all I should be called on to do, and not to be compelled to do it. If a Catholic clergyman was empowered by law to come in and seize my property, I would equally object to it.

"Your objection is to any clergyman of whatever religion he may be, being authorised to demand money from you by law ?—It is.

Again he is asked—

"Would its conversion, as you state, into something similar to a like rent-charge, remove the objection to this tax on the part of the Catholic population of Ireland?—Certainly not. I say it would be a less objectionable mode of collecting the tax, than that which is adopted at present.

"The hostility to the tax on the part of the Catholic population of Ireland would still exist? —The Roman Catholics feel generally, that they should not be called upon to pay anything towards the support of the Protestant Church."

[The hon. Member went on to quote the evidence of several other witnesses who were examined before the Committee, all tending to show the great unpopularity of the tax, the objectionable mode of collecting it, and the purpose to which it was applied.] The hon. Member continued. From this evidence it is incontestably established that in every shape and form the Roman Catholics object, and will continue to object, to this tax, on the broad principle that it is unjust to make them pay for the maintenance of the clergy of a Church with which they have no communion. But independently of the hostility existing from that feeling, the tax is highly objectionable from its mode of collection. The mode of valuation is unjust—the mode of distraint is oppressive. Once a house is valued for ministers' money it continues at that valuation while it stands, while no house can be valued over sixty pounds: hence the houses in the old quarters of a city formerly inhabited by the affluent, but now the abode of the humble class, continue at the former high valuation, while the real value of the property may have fallen 50 or 75 per cent, and at the same time the new houses worth 100*l.* or 120*l.* a year, and inhabited by the rich, cannot be valued above 60*l.* a year. Then as to distraint, it is evident that the collector can and does distrain without notice, and sell without notice often much below the value of the articles. In reference to the glaring injustice of the valuation, he would quote one or two facts from a return put in by Mr. Flynn, of Cork. Thus the great establishment of Beamish and Crawford of that city, is valued for the poor-rate at 2,225*l.* a year, and it is charged but 2*l.* 15*s.* 4*d.*, ministers' money; while a house belonging to Mr. Simms, formerly valued at or over 60*l.* for ministers' money, but now at 26*l.* under the poor-law, pays the same. Messrs. Wise's, whose premises are valued at 870*l.*, pay but 2*l.* 10*s.* ministers' money, while a house belonging to Mr. Foley, valued at 32*l.* to the poor-rate, pays precisely the same: one hundred instances of similar inequalities could be produced. To remove this most monstrous injustice, it is proposed by those who wish to continue the tax, that there should be periodical valuations of all houses subject to the tax; and to get rid of the oppressive system of distraint, it is proposed to convert the tax into a rent-charge payable by the landlord. But the objection to the tax would still continue, for it appears from the evidence that a great proportion of the house property in these corporate towns belongs to Roman Catholics, and therefore Roman Catholics would still, even under that system, have to pay the tax. But to this it is replied that at the time the Act of Charles the Second was passed, Catholics could hold no property, and therefore any subsequently acquired by them they got subject to that tax. But this argument has no weight, inasmuch as all the new houses year after year built by the Catholics are at once when valued subject to ministers' money. In fact, there is no other course to adopt but total and entire abolition; and the sooner the better for the clergy, for if any amendment of the Municipal Act should declare ministers' money not a tax payable to enable a burgess to be enrolled, then the income of the clergy would fall considerably, for it is the obligation to pay that tax now, to get the municipal franchise, that has increased the last few years the incomes of the clergy in these corporate towns. The abolition of this tax being then imperatively called for, the next question is, where is the substitute to be found? He (Mr. Fagan) was the first to suggest the revenues of the Ecclesiastical Commissioners, and it was a source of gratification to him that his views, as he had already stated, were adopted in the report of the Committee: that report states as follows:—

"Your Committee think it incumbent on them to state that an augmentation of the funds of the Ecclesiastical Commissioners may be rendered available as a substitute for ministers' money, and recommend that with that view an amendment of the Church Temporalities Act may be made. Your Committee are aware that the adoption of this income will involve the interposition of a new trust, and the postponement or relinquishment of some of the ulterior objects contemplated by the Church Temporalities Act; but any objection founded on the displacement of the original objects of the Church Temporalities Act, will be more than countervailed by the great advantages which, in a moral, social, and religious view, will arise from the removal of an obstacle to those feelings of unity and good will which it will be essentially conducive to the general interests of the country to encourage between the working Protestant clergy and the great body of the community amongst whom in cities and towns in Ireland their duties are usefully and honourably performed."

Again, Dr. Higgins, Dean of Limerick, expresses himself in a letter to the Rev. Mr. Elms to the same effect. It was impossible to have testimony stronger in favour of the substitute which he (Mr. Fagan) was the first to suggest; still it was impossible to deny that there was great difficulty in the matter, because there was in point of fact no surplus in the funds of the Ecclesiastical Commissioners applicable to any purpose; and those objects to which such surplus was by Act of Parliament to be applied had in consequence never been carried out. But he would endeavour to show that this arose from three causes: first, because the annual sales of perpetuities are not considered as income of late years, and expended as income; secondly, because of the discouragement to the owners of bishops' leases to purchase the perpetuity; and, thirdly, because of the debt due to Government. He would touch on those three points separately. In the early operation of the Church Temporalities Act the funds derived from the sales of perpetuities were considered as income, and expended as such—and there was nothing in the Act of Parliament to prevent this application of the fund. On the contrary, the law considered it as income. In the year 1844, however, Lord Heytesbury directed that it should be capitalised, and the interest only applied to the annual expenditure, except for the payment of the Government debt. Now, when it is considered that the value of the perpetuities was estimated by the Commissioners at 1,200,000*l*. sterling, of which only 523,170*l*. has been yet received, leaving 676,830*l*. to be yet received, supposing all leases to be so converted; and when it is further considered that 15,000*l*. is about the annual receipts, there can be no feasible objection to allow a fund so very large, and coming in so slowly, to be treated as income if the public interest required it; at all events until the incomes of the Bishops of Armagh, Derry, Clogher, came in, and until by the falling in of the suppressed livings and the increase of the tax on avoided livings, the revenues of the Commissioners sufficiently augmented to enable them to meet the additional demand in lieu of ministers' money, namely, about 15,000*l*. a year. He, therefore, maintained that the receipts from the sales of perpetuities should, as formerly, be included in the income of the Commissioners. Of late these sales have considerably diminished. This may be caused by the unfortunate condition of the country; but, independently of this, he maintained that it arose from the little encouragement given to tenants to purchase. Of late a new mode of estimating the value of the perpetuities has been adopted under directions of the law officers. Formerly it was what is called the diocesan value of the land was sold. Now, it is the *bonâ fide* value of the inheritance, estimated by the ordinary rules for ascertaining the annual value of land. The diocesan value of rent a solvent tenant could give under advantageous circumstances. The diocesan value is obtained by adding the annual fine payable, to the rent: this fine is one-fifth the rent, and the rent is exceedingly below the annual value. When, therefore, this diocesan value or rent was multiplied by twenty for the value of the fee-simple, it came to a much smaller sum than the real annual value multiplied by twenty. Therefore, under this last mode of estimating the purchase-money, the tenant has to pay considerably more than under the old system—and, consequently, there is much discouragement of late to purchase. Now, it is clearly the interest of the Commissioners to induce purchases, for every purchase increases their funds. For example, take the arch-diocese of Dublin—if there were no purchase of perpetuities in that diocese, the Commissioners would not receive a farthing. If, on the contrary, the tenants were, by a large bonus, induced to purchase, the Commissioners would get the amount. If there were no purchases, no person would be the gainer—if there were purchases, the revenues of the Ecclesiastical Commissioners would be benefited. It is, therefore, the public interest to encourage purchasers—he would, therefore, if he were allowed to bring in a Bill, give a bonus of seven per cent deduction from the purchase-money, instead of four per cent, the present bonus, in order to encourage the holders of bishops' leases to convert them into perpetuities. This would vastly increase the funds of the Commissioners. Again, the provisions of the Act 4th and 5th William IV., respecting under-tenants, enabling them to purchase without the sanction of the first or chief tenant, could never be carried out, from the difficulty of ascertaining the under-tenant's interest without concurrence of the first tenant. This tended to diminish the amount of sales; to remedy this, the Commissioners had prepared a clause amending the law in that regard, and that clause he had adopted in his Bill. There was another reason why the purchase of perpetuities should be encouraged. It appears now to be the law that the tenant holding under the Ecclesiastical Commissioners need not come in every year and renew paying his annual fine—he may now, it seems, come in on the last year of his lease, and paying the same fine as he would on the first year, he gets a renewal of his lease—whereas if he went on the last year of his lease to the bishop, he would have to pay an enormous sum for the renewal. This will considerably reduce the income of the Ecclesiastical Commmissioners; and, therefore, it is the more necessary to encourage purchases of the perpetuity. He proposed, however, in his Bill to remedy that evil. He would now come to the debt due to Government. There was originally 100,000*l.* borrowed; of this, 97,000*l.*, for principal and interest, was repaid, leaving 40,000*l.* still due. Now, of this 100,000*l.*, over 48,000*l.* went in lieu of the arrears due of vestry cess when the Church Temporalities Act passed, and which the Commissioners had to meet. It is, therefore, not requiring too much to ask the Government to abandon this debt, in order to facilitate the settlement of ministers' money. If, then, he repeated, the annual sales of perpetuities were reckoned income—if greater encouragement were given to tenants to become purchasers—and if the Government debt were forgiven—he maintained there would be found ample funds to meet the amount of ministers' money, without waiting for the future increase contingent on the death of three bishops, and the avoidance of livings liable to the payment of the tax. Supposing, then, the perpetuity was found to yield 15,000*l.* a year income, and the debt to be forgiven, he would show how the receipts and expenditure of the Commissioners stood. He took the accounts from Mr. Quin's and Mr. Williams' returns. First, he would take the receipts:—

From suppressed bishoprics	£50,267
— Suspended benefices	15,574
— Tax on benefices	8,784
— Bishop of Derry	4,162
— Interest on mortgages ...	2,618
— Mines	402
	£81,807
To which add the annual sales of perpetuities, which may be set down at	15,000
Receipts	£96,807

Expenditure in Church requisites ...	£34,792
Mr. Quin estimates annual repairs, church fences, and painting, at 28,366*l.* The average for five years to 1847 was but 16,000*l.* Allow the average of the two sums for the annual expenditure for these purposes, and it will give	22,183
Rebuilding of churches	6,634
Bishop of Kildare	100
Interest on building his palace ...	688
Stipends paid to Dublin curates ...	1,902
Ditto to Vicar Choral	3,689
Augmentation of small livings ...	962
Diocesan schoolmasters	132
Salaries	6,516
Incidentals	2,975
Other expenses	268
Amount of expenditure ...	£80,841

—which, taken from 96,807*l.*, left 15,966*l.* surplus, after meeting the ordinary expenditure of the Commissioners. There was, therefore, nothing to deter the House from making the attempt to get rid of an odious tax—odious both to the receiver and the payer. It was, it was true, but of trifling amount; but it carried with it much of principle, and if adopted by the House, it would show a disposition to legislate in a just spirit for Ireland. All he asked for was to enable him to bring in his Bill, and the House would then be able to judge how far it met the case. It might be considered in the disasters of the present times that a miserable 15,000*l.* a year was not worth thinking about. But that was not so; there was so much of religious feeling mixed up with it, it would be hailed as a boon by the whole of Ireland. [Here an hon. Member moved that the House be counted; forty Members, however, being present, Mr. Fagan proceeded.] He would entreat the House not lightly to reject the Motion of which he had given notice; and apologising for so long a trespass on its attention, would now conclude.

Motion made, and Question proposed—

"That this House will To-morrow resolve itself into a Committee, to take into consideration the Law relating to the Rate or Tax called Ministers' Money in Ireland, with the view to the repeal of so much thereof as relates to the said Rate or Tax; and further, to take into consideration the Act 3 and 4 Will. IV., c. 114, called the Church Temporalities Act, for the purpose of amending the same, so as to provide thereby a substitute out of the revenues of the Ecclesiastical Commissioners, as a provision for Protestant Ministers in certain corporate towns in Ireland, in lieu of the annual sums now received by them under and by virtue of the Act 17 and 18 Car. II., c. 7."

MR. J. O'CONNELL seconded the Motion.

MR. GROGAN, in opposing the Motion,

said, the question before them essentially was this—that a strong encouragement was held out to assail the provision made for the support of Protestant ministers in the towns subjected to the operation of the Act, the total amount of whose income annually was about 15,000*l.* The real truth of the matter was, every one was unwilling to pay anything which they could avoid. Because the Government had some time ago, with a view to establishing peace in the country, abolished a portion of the property of the Established Church, the House was now called upon to leave the entire of the seven or eight corporate towns referred to without any provision for their clergymen. The hon. Gentleman for the city of Cork had said that he did not wish to leave the ministers in those towns without support; but he (Mr. Grogan) defied the hon. Member to find surplus funds to do what he said. The report which had been made by the Committee was based on a simple sophistry. Everybody admitted that there were grievances and inequalities in the tax in question, which it would be desirable to do away with. Yet some of the witnesses who had been examined before the Committee had said that those grievances ought not to be removed, because the tax might be then made perpetual, whereas they did not wish to pay at all. Another witness had stated that he preferred ministers' money to any other impost of that kind. Now, he (Mr. Grogan) maintained, that so far from the Established Church in Ireland being damaged by the evidence given before, or the report made by, that Committee, the contrary was the result; and he defied any one reading the blue book to come to the same conclusion as the hon. Member opposite. It was by no means the fact that any fund existed which could be applied to the purpose suggested by the hon. Gentleman. The whole view taken by the Committee in their report was to the effect that the funds of the Ecclesiastical Commission were now adequate to the expenditure, and that there might be a large prospective increase; and, consequently, the House might, if it thought proper, apply the same for the sustentation of Protestant ministers in those corporate towns. Now, he confessed, he could not find out from what testimony the Committee could come to the conclusion that the existing income of the Ecclesiastical Commission was equal to its expenditure. Why, some of those examined had told the Committee that the funds at the disposal of the Commission were 6,000*l.* per annum below the necessary demands of the trusts under their control. [The hon. Member here referred at some length to the evidence given by some of the witnesses before the Committee, to show that so inadequate were the funds under the control of the Ecclesiastical Commission, that many churches were locked up in consequence of their ruinous state, and that others were only repaired by degrees because of the smallness and insufficiency of the funds.] [An Hon. MEMBER: Hear, hear!] Those might laugh who thought it well to pull churches down; but they who wished to keep them up thought it was a more serious and important matter. The whole weight of the evidence went to show that the funds in the hands of the Commissioners were totally unable to meet the demands upon them; and yet the Committee had come to a resolution that those funds were adequate to the expenditure. On the contrary, it had been shown that the means were not one-half sufficient for the objects for which they were required; and yet the hon. Gentleman opposite came forward to demand that these funds should be appropriated to other purposes. The augmentation of small livings was one of the requirements which the Commissioners had to discharge, yet this they had been unable to do to any extent of consequence. One witness had made a statement before the Committee to the effect that the probable amount of the sum per annum required for the objects of the Commission for the next five years would be 36,743*l.* Now, there had been a deficiency of 6,000*l.* a year mentioned; and how, then, could the hon. Member opposite find the surplus he proposed to supply the place of ministers' money? He (Mr. Grogan) did not mean to deny, as he had before said, that there were inequalities and grievances attending the working of the law, which he should be desirous of rectifying. He fully admitted that an improved and corrected valuation would be very advisable and necessary. It had been acknowledged on all hands that the rights of the clergy with respect to that tax had seldom been improperly enforced; and that the great majority of Protestant ministers had abstained from putting the law arbitrarily into execution. Under all the circumstances of the case, he thought he could say that the hon. Gentleman should not, or ought not, attempt to do away with that tax, until he could provide funds to substitute for it adequately. The real object of the hon. Member for the city of Cork was not, as he believed, to remove evils and grievances which every one admitted, but was of a totally different character; and, under these circumstances, he felt bound to offer his decided opposition to the Motion.

MR. B. OSBORNE thought that this was a question which deserved consideration wholly irrespective of blue books or documents. It was a question which it became not only Irish but English Members to consider, and therefore he trusted it would be taken up in the broad spirit of religious liberty, not argued in the pettifogging spirit of an attorney's clerk. When the hon. and learned Member for the city of Dublin had read the blue book—and he believed the hon. and learned Member had read it nearly through—he should not have omitted one fact which it contained, and that was, that while eight Roman Catholic towns in the south of Ireland paid ministers' money, the Protestant north was wholly exempt from its operation. Why? Because when the Act was revised in the reign of Queen Anne, it was known that the Protestant Dissenters would not submit to the impost; but the Catholics of the south having been completely ground down, and their very natures demoralised, this chain was hung round their necks as an additional means of attaching them to the Established Church. He was surprised that the Irish Catholics condescended to come to that House to ask for a removal of the tax. Had he been in their place he would have agitated elsewhere, and in such a voice as would compel the Ministry and the people of England to consent to its removal. It was no answer to say, that the amount in dispute was only 100,000*l.* What was the amount against which John Hampden had struggled? There was one portion of the report, from which, as an English Member, he felt bound to dissent, and that was the paragraph in which their old friend the Consolidated Fund was called on to provide a substitute. It seemed as if that was the pool of Bethesda, in which all these Irish cripples were dipped. For his part, he would abolish the impost at once, and without any substitute. Ireland was a Roman Catholic country, especially the south, and on what pretence could they in the nineteenth century call for provision for Protestant pastors from a Catholic people? At that moment there was in one of the southern towns a clergyman, who was a convert from the Roman Catholic Church, preaching the most violent sectarian sermons. He (Mr. Osborne) had himself heard him call the people vagabonds from the pulpit, and yet this gentleman's parish was a recipient of ministers' money. The hon. and learned Member for the city of Dublin accused those who supported this Motion of a design to annihilate the Protestant Church in Ireland. Well, certainly, if the Protestant Church were merely a thing of pounds, shillings, and pence, the sooner it went the better. But he had a stronger faith in the durability of the Protestant Church than had the hon. and learned Member for the city of Dublin. He believed that if the congregational system which he advocated were adopted, the Established Church would assume an expansive character, to which it could never aspire under the present system. The reason why he supported this Motion was, because he looked upon it as the first step towards a reform of that system which he held to be a disgrace to the civilised world. It was a step in the direction to which Her Majesty's present Ministers had shown so strong an inclination in 1835; but which, from that day down to the present, they had scrupulously avoided. The time of the House had latterly been taken up in passing Habeas Corpus Suspension and Treason Felony Acts; but why had there been no Bill brought in to remove this crying grievance? One of the most illustrious Roman Catholics of the present day, the right hon. Member for Dungarvan, had drawn up the report of the Ministers' Money Committee; that report had been acquiesced in by a majority of the Committee; and if it was not to be a mere mockery, it should be immediately followed by a Bill. All he should further say was, that if neither Government, nor any Catholic Member brought forward the question of the grievances arising out of the Church Establishment in Ireland, he pledged himself to do so at an early day, and he could not give a greater proof of his sincerity than by giving his vote in favour of the present Motion.

SIR G. GREY regretted very much that the hon. Gentleman the Member for Middlesex had addressed the House in a spirit very different from that which pervaded the speech of the hon. Member for the city of Cork, and in a very different spirit from that in which the Committee, whose report he had so much eulogised, had dealt with the subject. The hon. Gentleman had stated as the ground for supporting the Motion of the hon. Member for Cork, that he wished to see the Protestant Church abolished. [Mr. Osborne: Not in the first instance.] Well, ultimately abolished, saving the rights of the existing incumbents; and he said that he considered the abolition of ministers' money to be the *avant courier*, as he called it, of the ultimate result to which he looked forward. He had said that he would, consequently, vote for the Motion, without seeking to find any other source from which the clergymen whose salaries continued to be payable from this fund, would derive subsistence. To show that that was not the spirit in which the report of the Committee was drawn up by his right hon. Friend the Member for Dungarvan, he would read the concluding paragraph:—

> "Your Committee think it right to add, that in the event of any substitute being provided for ministers' money, they do not coincide in one of the views taken by the Dean of Limerick regarding the reduction of the incomes of the clergy in the cities and towns corporate of Ireland; for they do not consider their incomes in general to be more than commensurate with their functions—where no pretence for the imputation of sinecurism can be found; and your Committee think that they cannot conclude this report more appropriately than by a citation from the evidence of the Rev. Mr. O'Sullivan—who has officiated as Roman Catholic curate for upwards of sixteen years in Cork—and who in answer to the question whether it was the wish of the Roman Catholic inhabitants of Cork that the clergy of the Established Church in that city should be fully paid for the duties which they performed—answered 'No doubt;' and added that from his experience for the last several years as secretary to the Relief Committee of Cork, he could state that there had been such a cordial feeling between the clergy of both churches—they had acted so well and so zealously together—that if this cause of irritation were removed, a very beneficial change would take place."

This was also the opinion of the Rev. Mr. O'Sullivan, a Roman Catholic clergyman of the city of Cork, who gave the following evidence on this point:—

> "The inhabitants of Cork, I presume, would think that the clergy of the Established Church, who have duties to perform, should not be deprived of their livelihood?—On the contrary, I think that the general impression among the respectable classes of Roman Catholics in Cork, and, indeed, generally, is, that any arrangement which would take from the present incumbents their full amount of subsistence, becoming their rank as clergymen and gentlemen, would be unjust.
>
> "And you say that it is the wish of the Roman Catholic inhabitants that the clergy of the Established Church in Cork should be paid fully for the duties they perform?—No doubt; and as I know that my examination must be a short one, I hope I do not intrude on the Committee, in saying that, from experience for the last several years, as secretary to the Relief Committee of Cork, there has been such a cordial feeling between the clergy of both churches, they have acted so well and so zealously together, that I do believe, that if this cause of irritation were removed in cities, a very beneficial change would be produced upon the face and surface of society."

What the Committee recommended then, was, not that the clergy should cease to receive any remuneration for their duties, but that a substitute should be provided for a mode of payment which was felt to be a grievance not less by the clergyman who received it, than the people who paid it. He agreed with much that had been said with respect to the objectionable nature of the present mode of payment. The same system existed also in some parts of Scotland, where an inquiry had been lately instituted into the subject, and where the mode of payment had been found open to similar objections to the one then under consideration—not arising from difference of religious creed so much as from the mode in which the Act of Parliament operated. With reference to ministers' money he was not prepared to dispute the truth of what was stated by the Committee, that—

> "This source of livelihood is an object of dislike to the clergy, by whom it is most painfully collected from the reluctant and the poor; several clergymen have been examined in the course of this inquiry, all of whom concur in the expression of a strong desire on their own part, and on the part of the clergy, that some substitute for ministers' money may be provided."

But the difficulty which he (Sir G. Grey) felt in consenting to the present Motion—setting aside altogether the ground alleged by the hon. Member for Middlesex for his vote, which he believed would induce hon. Members to vote against the Motion rather than otherwise—his difficulty was that he saw no certain substitute that could be provided for the existing system. It was hypothetically stated in the report, that there were certain funds in the hands of the Ecclesiastical Commissioners, which would at some future time be available as a substitute; but the report was cautiously worded. They stated their belief "that the existing income of the Ecclesiastical Commissioners is adequate to their actual expenditure." They did not deny that their present expenditure was a proper expenditure; but they anticipated for the future such an increase of the funds in the hands of the Commissioners as to enable them to place an additional charge upon them. But this was not the case at present; and, therefore, he could see no immediate substitute that could be provided for the existing tax. He observed that the Consolidated Fund was looked to as a substitute—not, certainly, by the right hon. Gentleman the Member for Dungarvan—who drew up the report, but by some of the witnesses who were examined. The Dean of Limerick, in a letter which was given in the report, suggested that the burden should be placed upon the Church Temporalities Act; but the Rev. Mr. Elmes, the rector of St. John's parish, Limerick, dissented from that opinion, and thought that it ought to be placed upon the Consolidated Fund. If it should afterwards appear that the Ecclesiastical Commissioners had ample funds in their hands for the accomplishment of the objects for which they were appointed, and that a surplus remained, he could not help thinking that that surplus would be appropriately applied to the removal of this grievance; but as, in the meantime, no definite substitute could be provided, he would, without placing a direct negative upon the Motion of the hon. Member for Cork, move the previous question as an Amendment.

Mr. GRATTAN had been born a Protestant, bred a Protestant, and very likely would die a Protestant. But he protested against the arguments of the hon. and learned Member for Dublin as wretched abortions. A worse defence of a bad system he had never heard, either from a lawyer or a Member of Parliament. The real question was, whether an injustice was to continue to be perpetrated on a body of unoffending men? Here was an impost not levied on the north, and demanded from the south of Ireland. He contended, that there was no service whatever done for this money. It had been stated in evidence, that in 1833 there were in Ireland fifty churches in which for the previous three years no service had been performed. What a mockery was it to attempt to uphold such a system! The question was, whether 6,000,000 of men were to be called upon to pay for a mock Establishment? In one parish with which he was acquainted, in his own county, there was a Protestant church with grass growing in the doorway, its windows broken, and mould strewed over its floor—it was, in fact, in a state of complete dilapidation. And why? Because there were no Protestants to attend it. In another parish there was but one Protestant; he had two wives, and they killed him. Yet the Protestant clergyman of this parish, all the inhabitants of which were Catholic, except the two wives—and he did not know whether they were Protestant or Catholic—drew an income of 400*l.* a year; towards which he, as the owner of property in the parish, had to contribute. And for what? To save the soul of this single Protestant, which was not worth saving after all. He would maintain and uphold the Establishment, not by such means as these, but by moral principle, Christian feeling, and universal charity. What must be the feelings of our Catholic fellow-subjects when they were told by a Protestant bishop that the national schools, wherein Catholic children were taught in their own creed, were the suggestion of the devil. He could assure them such statements were not passed over unobserved by the Catholics, nor were they forgotten. And what was the condition of the Catholics at this moment in many of those parishes from which Protestant rectors were drawing large stipends to spend in Bath or elsewhere? Why, when they went to pray, they were reduced to the necessity of praying in stables instead of in chapels. Catholic ladies were reduced to the necessity of kneeling in the mud of Protestant stables—in the stalls of Protestant horses. How any one could be found to defend so detestable a system was to him astonishing. The right hon. Baronet the Home Secretary said, he was surprised at the words of the hon. Member for Middlesex. He ought rather to rejoice that they were only words. What would the right hon. Baronet say, when those words ripened into deeds; and when the Treasury bench would no longer be able to provide the means of defence against a whole people, roused to desperation by their injustice and neglect? It had been said, that the Catholics were cowards — he believed that there was much of water in their blood, for if they had the blood which ran through Protestant veins, they never would have submitted so long to the oppression and tyranny they had endured. Did they think it would satisfy the Catholic people, who were forced to pay this odious impost, to tell them that there was no fund in the hands of the Commissioners out of which those Protestant clergymen could be paid? He would advise them to make peace with the Catholics of Ireland by doing them justice. The time might come when they might not have the power to do so. Let them remember that the Protestant Church lived by the sufferance of the Catholics; and in consideration of what the Establishment had taken from the Catholic Church, he would suggest that a million at least should be given to the Catholic clergy, whose devotion to the spiritual welfare of their flocks, visiting and consoling the sick in the midst of typhus and other contagious diseases, formed a marked contrast to the conduct of some of the Protestant clergy, who had absolutely refused to visit the sick poor because typhus prevailed. He was not one of those who wished to strip the Protestant Church of its possessions, but to strip it of its vices and its errors, and to allow it to stand on its own pure foundation and in its beautiful simplicity; nor did he think it would be in the least endangered by taking from its own resources the paltry sum necessary for the payment of these its own clergymen ; but the enforcement of which from the Catholics was an injustice and an insult to them.

SIR J. YOUNG observed, that the hon. Gentleman who last spoke had expressed a desire to place the truth before the House; but in doing so he seemed to have forgotten what Miss Edgeworth had said : that he who exaggerated truth or painted it in false colours, was a traitor to the cause of truth. The right hon. Baronet the Home Secretary had quoted the recommendation of the Committee; but the House should be aware that that report was carried by a majority of five against a minority of four. Therefore, whatever weight was due to that report—and he admitted that it was considerable—the opinion of the minority should not wholly be thrown aside. The great difficulty was to find a substitute for the tax they proposed to abolish. That it was a grievance to the Protestant clergyman to receive his stipend in this way, especially when the claim was resisted and had to be enforced, as well as it was to the Catholic to pay it, was admitted; but no other source out of which such stipend could be provided had been found. The second report of the Committee stated that ministers' money was not a charge on the person, but on the property, and formed part of the property of the Established Church; and it did not appear to them that any reason had been shown for relieving the owners who had come into possession of their property subject to this impost from the charge. If it were to be given up, it would, like the 25 per cent which had been surrendered under the Tithe Commutation Act, go into the landlord's pocket. [Mr. GRATTAN : They have not had a penny of it.] The second report further suggested that a power of redemption should be given, and a fund thus created; but it condemned the proposition for taking the money from the funds in the hands of the Ecclesiastical Commissioners, on the ground that those funds were placed in their hands for certain specific purposes and trusts; and until those trusts were completed, any diversion of any part of the money to other objects would be a breach of faith. Another proposition that was made before the Committee was, that a new valuation of the property in the towns should be made, and that the rate should be levied on such revaluation for the ministers' money, for the payment of the Roman Catholic clergy, and for other purposes. That probably was as fair a suggestion as had been put forward. The right hon. Baronet the Home Secretary said, that the Consolidated Fund was alluded to as the means of providing the fund; but in the second report the allusion to the Consolidated Fund was made as being the only means by which the landlords who were liable could hope to shift their burden to other shoulders. He (Sir J. Young) had voted against that proposition; and with regard to the present Motion, looking upon it, as the right hon. Baronet had said, as an *avant courier* to an attack on the Protestant Church Establishment of Ireland generally, he thought the Government were right in the course they took. Within a few years the Protestant clergy of Ireland had surrendered one-third of their property, and no wise Government would reopen the question.

MR. CALLAGHAN was one of the Members of the Committee which sat upon this subject, and must remind the House that every one of the clergymen of the Established Church who were examined before it spoke against the tax. This odious impost was chiefly levied in those districts where the Catholic vastly preponderated over the Protestant population, which made its collection the more grievous and hateful to the former. The Catholics did not pay it willingly, and they never would pay it willingly. The hon. Member for Meath had given some ludicrous instances of the state in which Irish parishes were. At the risk of causing the House to laugh, he would mention another. He was once asked by two of his friends, clergymen, who were going to a visitation, to lend them a backgammon box in order to beguile the journey. He lent the box, and asked them in return to ascertain whether or no it was the fact, whether, as was rumoured, there were only six Protestant parishioners in a certain parish, a parish in which the opposition to this tax originated. The Government made the inquiry, and it turned out that there were only six Protestants, and that the two churchwardens were with child. It was explained in this way—that as there were only six Protestants, the clerk's wife and the sexton's wife were appointed churchwardens, and they were in the family way. He would not trespass further on the attention of the House than again to protest against this tax, and also against the system of tithes, under which the great body of the Irish people would never rest contented. They were badges of servitude—standing monuments of injustice—and the sooner they were abolished the better.

MR. KERSHAW also protested against the tax as unjust and oppressive, and at the same time expressed his regret that the subject had been treated with so much levity by the House. He agreed with those who thought the Protestant Established Church in Ireland a nuisance in that country. ["Oh! oh!"] Hon. Gentlemen might say "Oh!" but he averred that that Protestant Church in Ireland had not fulfilled its mission. He thought the application of the voluntary principle would be much better for the Irish Protestant Church, and for religion generally. As long as he had a seat in that House, he would protest against the crying injustice of the majority of the people of Ireland being obliged to pay for the Church of the minority. The voluntary principle had been tried in England, and tried with success, even amongst members of the Church of England, for he was happy to say that in many instances churches in connexion with the Established Church were conducted upon the voluntary principle, and that those churches were the most prosperous in the country. If that were the case, the sooner the contention for mere pelf was abandoned the better. For his own part he desired nothing more than that religion should be excluded from the debates in that House, and thought the adoption of the voluntary principle generally would tend to the promotion of religion, and the restoration of tranquillity.

MR. NEWDEGATE agreed with the hon. Member for Stockport in thinking that such discussions did not tend to raise the House of Commons in the estimation of the country. He rejoiced, however, to say that the observations to which he referred came from the other side exclusively of the House. He denied most emphatically that the Irish Church had been wanting in its duty. During the distress in Ireland, he had heard Roman Catholics avow, that of all those who exerted themselves in the cause of humanity, and made sacrifices for the alleviation of their sinking fellow-countrymen, the clergy of the Established Church stood foremost. It appeared strange, to say the least of it, that a Motion like that, for the purpose of alienating the property of the Established Church, was made by an Irish Roman Catholic, considering the oath which he had taken. What was that oath? It was this:—

> "I do swear that I will defend to the utmost of my power the settlement of property within this realm as established by law; and I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm; and I do solemnly swear that I never will exercise any privilege to which I am or may become entitled, to disturb or weaken the Protestant religion or Protestant Government in the United Kingdom; and I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain ordinary sense of the words of the oath, without any evasion, equivocation, or mental reservation whatsoever. So help me God."

Now, if there was any meaning in the plain sense of words, by their acceptation of these terms in the oath Roman Catholic Members had taken at the table of the House, they had precluded themselves from attempting to weaken or disturb the Established Church of Ireland by alienation of its funds or otherwise: but he was sorry to say, the House had the testimony of three hon. Members—the hon. Members for Middlesex, Meath, and Cavan—that this Motion was a direct attack on the Church established in Ireland. He could not understand how hon. Members who had taken the oath which he had just read, could reconcile it to their consciences to support this Motion. The only explanation of this was to be found in the fact, that by the Roman canon law oaths were not held obligatory which were contrary to the decisions of, or adverse to, the interests of the Church of Rome; and that Roman Catholic Members of that House, who took part in such proceedings as the present, considered themselves absolved, by their religion, from the obligation of the oaths they had taken on entering this House. He had stated this before in the House; and certain Roman Catholic Members had questioned the authority on which he did so; he would, therefore, now quote some of these authorities. In the edition of the *Canon Law*, published with the approval of the Roman Catholic Consistory of Saxony in 1839, he found it asserted by Popes of Rome—

> "That the Kingly power is subject to the Pontificial—that the Pope has a right to depose Sovereigns, to dispose of their kingdoms and absolve subjects from their allegiance—that all oaths to the prejudice of the Church of Rome are null and void—and that Romish ecclesiastics may resist their Sovereigns for the good of their Church, and even for their own private advantage."

On oaths of allegiance it was said—

> "'The apostolic authority altogether cancels illicit oaths . . . . as the Lord says by the prophet (Isaiah lviii. 6).' 'The Roman Pontiff absolves from the oath of allegiance, when he deposes any from their authority.'—Gregory IX., Decret. 11, pars. C. xv. 2 vi. p. 647."

With respect to the deposition of sovereigns and the oaths of subjects and soldiers, it was said (p. 648)—

> "The Pontificial authority absolves from the oath of allegiance."

The following ancient precedent is then cited:—

> "The Roman Pontiff, Zachariah, deposed the King of the Franks, not so much for his evil deeds, as because he was not serviceable to his own power, and raised to the throne, in his place, Pepin, the father of Charlemagne, and absolved all the Franks from the oath of allegiance which they had taken." "The same is done frequently (*auctoritate frequenti*) by the Holy Church, when it releases soldiers from the obligation of their oaths."

On the subject of oaths of allegiance to excommunicate persons, he found the following passage (p. 648):—

> "No one owes allegiance to any excommunicate persons before they are reconciled to the Holy See."

The Pope proceeds to forbid such allegiance to be paid:—

> "'No oaths are to be kept if they are against the interest of the Church of Rome.' 'Oaths which are against the interest of the Church are not to be called oaths, but perjuries.' Decret. Greg. IX., lib. 11. tit. xxiv. cap. 27 (vol. ii. p. 358)."

The following sentences would show that the oaths of allegiance taken by ecclesiastics to temporal sovereigns were considered illicit and void:—

> "Ecclesiastics not having temporalities from laics are not bound to take oaths of allegiance to them. Certain laics contrive to usurp too much on the Divine right, when they compel ecclesiastics receiving no temporalities for them to take oaths of allegiance; but since, according to the apostle (Rom. xiv. 4) every one stands or falls to his own master, we prohibit such ecclesiastics from any such violence." "We declare that you are not bound by your oaths of allegiance to your princes, but that you may resist freely even your prince himself in defence of the rights and honour of the Church, and even of your own private advantage."

In the xvi. canon of the Third Council of Lateran, it is affirmed that those oaths are not to be called oaths, but perjuries rather, which are contrary to the advantage of the Church. Bishop Doyle says (Appendix to Irish Education Report, p. 794)—

> "The Third Lateran Council is one of the General Councils of the Roman Catholic Church."

In the 27th chapter of the Council it is affirmed that all who are in any way bound to heretics, should consider themselves absolved from all fidelity and obedience due to them as long as they persist in their iniquity. Archbishop Murray admitted that the Council of Constance was general, and Roman Catholics profess that they receive without doubt what the canons of the general councils declare; and one of the decrees of the Council of Constance is, "that faith is not to be kept with heretics to the prejudice of the Church." He thought this sufficient to show that there were some Roman Catholics, at least, who would not think themselves bound by any oaths contrary to the interests of their church. He deeply regretted that the hon. Member who had made this Motion, and who was a Roman Catholic, had not left it to some equally determined opponent of the Irish Church, such as the hon. Member for Middlesex. He could not have found any one more zealous enemy of the Established Church than that hon. Member, nor a more determined opponent, as far as his weak voice could go, than the individual who then addressed them.

The EARL of ARUNDEL and SURREY said, that the oaths about which the hon. Gentleman had been speaking, from the keeping of which Roman Catholics were absolved, were only those which it would be unlawful to keep—such, for instance, as if a man were to swear to kill another man, he would be absolved from the oath, and forbidden absolutely to keep it. Roman Catholics were forbidden to take oaths to do anything which was unlawful; but if they happened to take them, they were forbidden to keep them. However, the question was one which had nothing to do with the subject under discussion. Hon. Members interpreted the oaths they took according to their own consciences; and he had been informed by a Protestant Member of the House (whose name he was not at liberty then to divulge, the matter having been spoken of merely in private conversation) that he took precisely the same view of the oath as the right hon. Member for Dungarvan. That fact was sufficient to illustrate the difference of opinion that existed. With regard to the charge of the hon. Member for North Warwickshire, as to the not keeping faith with heretics, it was one which had been so often answered and denied, that it required no further reply. There was no foundation whatsoever for it. Roman Catholics were bound to keep faith with heretics. He did not intend to go into the question under discussion further than to say, that the hon. Gentleman the Member for the city of Cork, who had introduced it, said that he did not wish to deprive the Protestant clergy of their incomes; and, as far as he (the Earl of Arundel) had understood, all the hon. Gentlemen who had spoken in that debate against the Irish Church were themselves Protestants.

Mr. HUME disapproved altogether of the expressions about this being an attack upon the Church. If, to endeavour to remove an abuse and to destroy an injustice, were to make an attack upon the Church, then indeed the Motion under consideration was an attack, and he had often made such attacks. But it was surprising how the opinions of hon. Gentlemen changed upon the question. It was a gross and grievous injustice that a tax for the support of the Protestant clergy should be levied upon the Roman Catholics in those eight corporate towns in the south of Ireland. It was most unwarrantable. But he begged the House to observe the changes in opinion that had taken place regarding it. On the 3rd of July, 1844, a precisely similar Motion was brought forward in the House, and it was supported by the hon. Member for Louth (Mr. Bellew) a Gentleman who was certainly not one likely to pull down the Church. Upon the same occasion, Lord Stanley, who was then a Member of the Government, stated that the question was one which had seriously occupied the attention of the Government; and although they had not as yet determined upon the nature of the measure they would adopt, yet he hoped shortly to be enabled to submit one that would be satisfactory. Yet, to hear hon. Gentlemen rising and attacking his hon. Friends near him for advocating the principle of a measure which Lord Stanley declared had occupied his favourable attention and that of the Government of which he was a Member, was to him most surprising, if anything could surprise him. Why should hon. Gentlemen refuse to go into Committee upon the question? Why should the right hon. Baronet the Home Secretary have moved the previous question, when those about him had formerly supported Motions—yes, and intended it seriously—precisely similar to that moved by his hon. Friend the Member for the city of Cork? Why should the Government refuse to abolish this tax of 15,000*l.*, when they had previously abolished charges to the amount of 76,000*l.*? The Established Church in Ireland was a perpetual cause of excitement, of difference, and of ill feeling. And, indeed, he had to complain of a similar injustice in Scotland to that under discussion; for in Edinburgh and Montrose ministers' money was collected, and great differences were excited thereby. But so long as they had the Church of the minority supported by the majority, it was impossible to expect peace or quiet in Ireland. He thought his hon. Friend the Member for the city of Cork had done right in bringing forward the Motion. He had done so in a speech which had given not the slightest cause of offence to any one, and he (Mr. Hume) should give him his most cordial support.

Mr. NAPIER: Sir, the hon. Member for Montrose has told the House that there would be no peace for Ireland until the Protestant Church was levelled; and yet that hon. Member was loud in his demand for religious liberty. But on what principle of religious liberty did the hon. Member deny to them—the Protestants of Ireland—that which he claimed for himself? He (Mr. Napier) was ready to admit that if the religious rights of any man were unfairly interfered with, the party had a right to complain; and it was in exact conformity with that principle that he demanded for the Church to which he himself belonged the privilege of retaining the property which was justly her own. In arguing the question of property, he found that a general fallacy prevailed. The plea generally was, that the property of the individual was taxed; that, in fact, a personal charge was made, to support the Established Church. The hon. Member for

Middlesex had fallen into an historical mistake in stating that a tax which had been submitted to by the south of Ireland had been repudiated by the north. In the case before the House, the charge had been imposed in the reign of Charles II., after the settlement of the Ulster plantation; and it was done with a view to encourage commercial settlers from England. In the south, various privileges were extended to those who settled in towns, and provision was made for the creation of corporations and the erection and maintenance of churches. The Church's title to the income now under consideration arose out of the arrangements thus made, and was as good as the title by which any landlord held his land. The present possessors of the property, liable to the charge, took possession with the charge upon it, and they had no right to call it a burden, and to demand to be relieved from it. Mr. O'Flynn, one of the witnesses examined before the Select Committee, had plainly stated that it was against the conscience of a Roman Catholic to pay such a charge in favour of a Protestant clergyman, even supposing he had acquired his property subject to that charge. Such a position was contrary, not only to justice, but to common sense, and to the very existence of property at all. That was a position which might be applied by any individual the charge being one upon property —and not upon the person. He asked any one of common sense, then, that being the case, what would be the effect of abolishing it, and whom would it relieve? The owners of a large portion of the property in towns were Protestants, and if they removed this charge, it was the owners that would be benefited; and he asked what conscientious principle, what point of religious liberty, would be advanced by such a course ? He admitted that in the details there might be defects; but if the clergy had to go to the tenants and they paid the charge, they had a right to deduct it from their landlords. He admitted that it might be better to make the charge on the landowners in the first instance, and if it could be so arranged, and the clergy only received three-fourths of their present amount, it would be beneficial, as it would go far to prevent the creation of religious animosity by the collection. He heard a number of city Members speak against this charge, but only one county Member; and he held in his hands the words of one of Ireland's brightest ornaments and gifted sons on this subject. The late Mr. Grattan had, almost with his dying words, expressed his determination to support the rights of the Established Church, while advocating the extension of religious liberty. That Gentleman had drawn up a series of resolutions, to the effect that it was desirable that a Committee should be appointed, with a view of relieving Her Majesty's subjects from religious disabilities in a manner consistent with a due regard to the maintaining inviolate the rights of the Established Church, and the principles of the 5th Article of the Act of Union. He might also quote the opinion of an English Roman Catholic, that, the Legislature having settled the matter, and appointed certain charges to be made on property, no individual had a right to complain or interfere with the arrangement. Unless they maintained the principle of property, as established by the Legislature, there would be no security for any institution of the country. He recollected the time when nine-tenths of the tithe were paid by Protestants; and when it was consented that that impost should be commuted for a rent charge, if a Roman Catholic took the property it was subject to that charge. He always thought it right that the question should be discussed on principle, and he was glad to hear the noble Lord at the head of the Government express his determination to maintain the Church on principle, when he stated that it must be so maintained, not merely as a Church, but as a great national establishment. He (Mr. Napier) had never defended the Church except as a Christian establishment, founded on the word of God; and he would be obliged to any hon. Member who, in a spirit of real reform, could point out where it could be improved so as to enable it better to perform its mission. From what he knew of the Church of Ireland, he believed it was distinguished by fidelity, usefulness, and every quality which was calculated to give to its disciples the solace of religion, and prove to them a blessing. Now, with regard to the question of the Church, it was admitted that if the clergy discharged their duties usefully and properly, they ought to be paid, and if they were to be paid, he supposed it would also be admitted that the labourer was worthy of his hire. If, then, this was a charge upon property, why should it be taken away ? He considered that there was no reason for any alteration in that respect; and Dr.

West, of Dublin, was of opinion that the charge was purely made upon property, though he suggested that there might be a new valuation, as in the case of other rates. The only other question raised in this discussion was relative to the Church Temporalities Act, which laid down certain principles for their government, and of which it had been said that as the Legislature had created those principles, the Legislature might get rid of them and substitute any other—the professed object of the investigation which was proposed being to see whether there was any surplus beyond what was required for the maintenance of the Church. With regard to the Church Temporalities Act, he warned hon. Gentlemen that it was a dangerous subject to open. If they looked at the 5th Article of the Act of Union, and at the Catholic Emancipation Act, they would see that legislation on the subject ought not to be interfered with. If hon. Gentlemen opened this subject, he warned them that it must lead to the Maynooth grant being questioned on that (the Opposition) side of the House. They should take care how the question was opened, as there were parties on that side of the House, who valued truth as much as it was professed to value religious liberty on the other. With regard to the Church Temporalities Act, it removed the first-fruits, which were originally imposed as an annual tax upon benefices, and the vestry cess for repairing churches, because it was more a personal tax than one upon property, into the hands of the Commissioners. The trusts created by that Act, however, could not be discharged, because there were not sufficient funds for the purpose. He had heard one hon. Member say that the number of churches were more than sufficient; but in the diocese of Cork there were forty schools with congregations sufficiently large for churches, but the Commissioners had no funds to build them. In the diocese of Down, the late bishop had consecrated forty new churches. He did not at all believe that the Roman Catholics were generally desirous of having any alteration with regard to the Church; and he could tell the hon. Member for Meath, who had spoken on the subject, that the Roman Catholic proprietors, on a rate being made, had refused to allow one penny to be deducted from the clergy. It was sometimes stated in that House that the church property amounted to an immense sum; but he thought hon. Members ought to inform themselves better upon the subject before they made those general and sweeping assertions. The question was asked, were they at liberty, under present circumstances, to make any alteration by which this charge should be taken off the owners of property? He was perfectly willing to remove any real grievances that existed, but he was not prepared to make the present charge upon property the subject of legislation. He asked the House what was the real principle they were advocating. He had heard one hon. Member, with a great deal of zeal, and, he had no doubt, with a great deal of sincerity, state that he was in favour of the voluntary principle, and that he never should be satisfied until the Established Church in Ireland was put down. Now, as he (Mr. Napier) understood the voluntary principle, it was that no one had a right to interfere with the religion of another; and if that were the case, what right had the hon. Member to interfere with regard to the Established Church? An hon. Gentleman said that the Protestant Church in Ireland possessed a revenue of 1,000,000*l*. He defied him to prove that from authentic documents. He maintained that the funds of that Church belonged to the right of succession, and he defied any party to show good reason why it should be alienated. They held the Protestant Church to be the true and right Church; and while it wanted not the property of others, it had a right to have this secured to it which was originally granted by Act of Parliament. If they carried out the principle of the Church Temporalities Act, they would see that there was no pretext for this measure. A census was taken of the population in 1831, and they had all the materials at that period for coming to a right conclusion upon the subject. Under that Act it was provided that no benefice under 300*l* a year could be taxed, and small benefices were to be augmented until they reached 200*l*. a year. The entire income of the Protestant parochial clergy only amounted to an average of 170*l*. a year, and 600 persons formed the average number of the congregation. No substitute was offered for this provision, and it would be an injustice, therefore, to agree to the Motion.

Mr. REYNOLDS said, that there were two things perfectly clear in the speech delivered by the hon. and learned Member who had just addressed the House: first, that he was a sincere defender of the Protestant Church as by law established; and, secondly, that he was an excellent special pleader. But, although the hon. and learned Member had made a most ingenious speech, he did not think that the magnates of the Church would be much obliged to him when they heard the defence which he had made for them. The hon. and learned Member had commenced by saying, let them keep what they had, and take nothing from them. He would have the hon. and learned Member to recollect that the enormous revenues of the Protestant Church once belonged to the Catholic Church of England and Ireland, and that they were taken by force from them, and the spoliation had been sanctioned by subsequent Acts of Parliament. The hon. Member for the city of Cork had not proposed to spoliate the Church; he had proposed to transfer the charge of 15,000*l.* to some other fund; it was not his wish to deprive the Protestant Church of a single penny. He (Mr. Reynolds) did not quite go with him to that extent; he was prepared to protect, by every means in his power, the interest of the present incumbents, but he was not prepared to perpetuate what he would call the spoliation of the people. Dublin, the city which he had the honour to represent, contributed 11,000*l.* out of the 15,000*l.* raised in Ireland for ministers' money, Cork 2,000*l.*; and the remainder of the sum was spread over six towns in the provinces of Leinster and Munster. His constituents had therefore a double right to complain of the injustice of this imposition. Four-fifths of the population of Dublin were compelled to pay for the support of a religion which they repudiated, and yet the hon. and learned Member for the University of Dublin had called that no grievance. The hon. Member for Warwickshire had raked up some old and obsolete Orders in Council, that might have done very well for an Exeter Hall speech, but were not suited for this House; and he had spoken of the oaths imposed upon Catholic Members of this House, putting what he (Mr. Reynolds) considered a very erroneous construction upon them. He represented a constituency consisting of all religious denominations, and denied that he was sent there because he was a Catholic; he stood there as a representative of the people, and had duties to perform as such. He took the oath conscientiously, and was yet prepared to curtail the temporalities of the Irish Protestant Church; he would go further, and declare himself prepared, with a clear conscience, to vote for its total abolition, if he believed the necessities of the State required it. [" Oh, oh!"] He would repeat the declaration; and unless they could convince him—which he thought it would be very difficult to do— [*Cries of* " Hear, hear! "] They should allow him to finish his sentence—unless they could convince him that ministers' money formed part of the Protestant religion, he would vote with a perfectly clear conscience for its total abolition. The hon. and learned Member for the University of Dublin had said this was a tax upon the house, and not upon the man; but this was only a distinction without a difference; for if he (Mr. Reynolds) bought a plot of ground in Dublin, and built a house upon it, the Protestant rector could compel him to pay 1*s.* in the pound upon 60*l.*, for the cure of souls. Now, he being a Catholic, the tax could not be for the cure of his soul, for he did not think the Protestant doctor the best doctor, and therefore did not seek his assistance. This reminded him of the old story of Dean Swift and the old Dublin barber, Timothy O'Brien. The dean's collector could not persuade Timothy, do all that he could, to pay the tax towards his reverence's income, the obstinate barber maintaining that he got no value, being a Catholic, and therefore would not pay it. Timothy, however, was sent for by the reverend dean, and told, that it was his own fault that he received no value for his money, because the church doors were always open to him, and he might avail himself of its services if he chose. Timothy said, " Is that the doctrine ?" and being answered by his reverence in the affirmative, then paid. The worthy shaver, however, acting upon the precedent laid down by his reverence, a few days after sent in a bill to the deanery for 3*l.* 10*s.* (being the same amount as he had paid for ministers' money) for dressing his reverence's wig and shaving him for the last three years. The dean, astonished at receiving such a demand, seeing that his own servant both shaved him regularly and dressed his wig, sent for the barber, who coolly explained that it was true he had never actually performed any shaving or dressing for his reverence, but still that was purely his own fault, because his shop was always open for him to come and be shaved whenever he required it. The dean at once recognised the force of the shrewd barber's retort, returned the ministers' money, and never sent his collector to levy ministers' money from him again. Now, it would be well if the House would follow the example of the worthy dean upon this question, and give to Catholics that exemption from the tax to which they had a fair claim, as they did not receive any value for their money. The Committee which sat upon this question last year made a very milk-and-water sort of report. He (Mr. Reynolds) was a Member of it, and had proposed an Amendment to the effect that the exaction of ministers' money in Ireland was regarded as a serious grievance by Catholics and Protestant Dissenters; and that a Bill ought to be introduced to abolish this tax, and charge the Ecclesistical Commissioners' fund with the sum annually raised in the towns now subject to this impost. However, the Committee, by a majority of one, rejected this suggestion; his right hon. Friend the Master of the Mint, who was Chairman of the Committee, and a Catholic, kneeling at the same altar with him (Mr. Reynolds), giving his casting vote against him. It could not surely be said, that the Ecclesiastical Commissioners could not afford to pay this money; their income was not less in permanent and casual receipts than 118,000*l.* a year. The returns showed that, during the last twelve years they had received 1,629,000*l.*, and spent 1,628,000*l.*; and it was not at all very clear to him, that if their income were six times as much, they would not spend it all, and still leave themselves without a balance in hand. How did they appropriate this money? 992,000*l.* of this 1,629,000*l.* had been laid out within the twelve years upon church requisites, rebuilding, and repairs; incidents of offices, 19,436*l.*; salaries, 86,260*l.*; law costs and payments, 21,808*l.*; and bibles (the smallest sum of all seemed to be spent in the distribution of bibles), 3,174*l.* The charge for salaries was 12¾ per cent upon the gross total receipts. The hon. and learned Gentleman the Member for the University of Dublin had charged him (Mr. Reynolds) with stating the income of the Irish Established Church to be one million, and said himself that it was not more than 600,000*l.* Now he (Mr. Reynolds) found that the tithe-rent charge exceeded half a million, and that the bishops' lands and glebe lands amounted to 730,000 acres; so that it occurred to him that if the income of the establishment in Ireland was not a million, it ought at all events to be very near it. But, even taking the hon. and learned Gentleman's own admission, that it was 600,000*l.*—[Mr. NAPIER was here understood to deny that he had made any such admission]—here in Ireland, the poorest country in the world, and the most Catholic country in all Europe, they had a Church having only 700,000 of a population, possessed of an annual income of no less than 600,000*l.* exclusive of the bishop and glebe land; whilst, on the other hand, there were 6½ millions of Catholic population, and as many Presbyterians and other Protestant Dissenters as belonged to the Establishment, supporting their own religion in almost every instance by their own voluntary contributions. As a Catholic, he had to thank the hon. Member for Middlesex for his declarations regarding the Irish Established Church. He (Mr. Reynolds) still regarded the temporalities of that Church as a brand and mark of degradation upon his Catholic fellow-countrymen; and he believed, as an Irishman and a Catholic, that he would never be really emancipated so long as that plague-spot was allowed to exist in Ireland. He would tell the hon. and learned Gentleman opposite that he was not aware of what was brewing for him. He must prepare himself for a most extensive agitation against the temporalities of that Church; for he would tell the hon. and learned Gentleman opposite that the Catholics of Ireland would never cease agitating until the Irish Church temporalities were entirely abolished. Why should any hon. Gentleman censure him for declaring these to be his sentiments? He would give hon. Gentlemen opposite the benefit of any advantage they could derive from this declaration; for he would tell them that he should consider himself unworthy of the name of a freeman if he tamely submitted to a monster injustice that would not be tolerated a moment in any other part of the civilised globe. Now, they had to govern Ireland by an army of 40,000 troops, together with no less than 14,000 of a constabulary force; but let them only remove the Irish Established Church, and they would have no need to keep up any such expensive means of coercion. Would the Protestant Gentlemen of England submit to support a Catholic Establishment? He would bring the matter home to their bosoms. He would ask if a Catholic collector walked into the house of a Protestant, and demanded 5*l.* for the support of the Catholic priesthood, what would be the result? It was not clear to him that the collector would not get more kicks than halfpence. Measure for measure he said. If allegiance was wanted from Irishmen—allegiance based on the broad feeling of affection—the attempt to force the Protestant Church on Ireland would not be continued. This was a section of that Church. He called on the Premier, in the name of his Catholic fellow-citizens, to raise his voice in favour of the Catholic people of Ireland, and help to emancipate them from this intolerable insult. A number of respectable Protestant clergymen were examined before the Committee, all of whom declared they wished for a change in the system of ministers' money; and many wished it altogether abolished. They said it was an unpleasant mode of collecting their subsistence, and he firmly believed the majority of those who obtained benefit from this ministers' money would be in favour of change. He hoped the Administration would do something to show the Catholic people of Ireland that they were not thus to be continually insulted.

MR. G. A. HAMILTON could assure the House it was not his intention, at that late hour, to occupy their time for more than a few minutes; and he rose merely for the purpose of setting the House right with regard to some most extraordinary statements of the hon. Gentleman who had just sat down. The hon. Gentleman had stated that the income of the Ecclesiastical Commissioners was 120,000*l.* a year. Now, by the return in his (Mr. Hamilton's) hand, in the appendix to the report on ministers' money, page 286, the Commissioners themselves, who were the best authority, estimate their present income at precisely 71,574*l.* The hon. Gentleman had stated that the income of the Established Church in Ireland was a million; and when questioned by his (Mr. Hamilton's) hon. Colleague on the subject, the hon. Member had endeavoured to make up that amount by estimating the value of the lands belonging to the bishoprics. Exaggerations were common in that House with reference to the property of the Established Church—but he could scarcely persuade himself that the hon. Member for the city of Dublin, when he made that statement, must not have been aware that under the Church Temporalities Acts in Ireland, the tenants of the bishops' estates have acquired, or have the right of acquiring, a perpetuity in their lands; so that the Church, in point of fact, receives only a rent-charge or head-rent from them. The lands, therefore, and their value, become the property of the tenant. The real state of the case is as follows:—The income of the parochial clergy at the present time is about 369,000*l.* a year, subject to heavy deductions for ecclesiastical tax and poor-rate: that of the bishops, about 57,000*l.*; that of the dignitaries, deans, &c., about 20,000*l.*; and that of the Ecclesiastical Commissioners, as he had stated, about 71,000*l.*; and this property of the parochial clergy, if divided amongst them, would give an income of about 170*l.* to each clergyman, as already stated by his hon. Colleague. He would add, that he could not felicitate the right hon. Gentleman the Master of the Mint on the result which had followed from the adoption of his report. He was sure he must have heard the speeches to-night in reference to the Church in Ireland, and sentiments expressed on his own side of the House, in which he and his Colleagues could not concur. He alluded particularly to the speeches of the hon. Members for the city of Dublin and Meath. For his own part he was glad those hon. Members had spoken out. It was better the Protestants of England and of Ireland should know what were the real objects and designs of the party to which those hon. Members belonged. He lamented that there should have been any such manifestations of warmth of feeling, but it could not be said that it originated on his side of the House. [Mr. J. O'CONNELL: The hon. Member for North Warwickshire.] He said his hon. Friend (Mr. Newdegate) was forced into it by the speech of the hon. Member for Middlesex. He approved of the course the Government had taken in moving the previous question. There were objections to the system of ministers' money in Ireland, as he had always admitted, and he should be ready at any time to assist in remedying them.

MR. J. O'CONNELL said, the hon. Member for North Warwickshire had brought forward the most offensive topic possible to the Catholics, for the charge was involved in his words of tampering with the oaths taken by the Catholic Members. The hon. Member for Middlesex's proposition was a fair subject for discussion—the other was not. They could not pretend to say that the present question had reference to the Protestant Establishment. The fairest way was to speak out at once, and to say that a Protestant Establishment among a Catholic people was a nuisance. Now, with respect to the oath. On the last occasion, when this topic came before the House, he had warned them that bad blood and ill-feeling would be created. He had felt it to be so, and he had announced himself as ready to return his public charge into his constituents' hands rather than be supposed to act in any way against the oath he had taken. But the House had shrunk from giving the oath that interpretation. The hon. Gentleman who had devised the Bill—who adopted and identified himself with the form of words taken by the Catholic Members, had refused to give that interpretation to the oath, and said hon. Members were each to judge for themselves. He had looked to the oath. There were two parts in it; when taken, the Catholic Member said he would not exercise any privilege—he would not, in fact, do anything—to subvert the Protestant Church. Now, if those words stood alone, they would be very strong, and Catholic Members could not fairly do anything to subvert the Protestant Establishment. But when did Catholic Members bring forward a measure to totally subvert the Protestant Establishment? All they did was to attempt to modify that Establishment. ["Oh, oh!"] He would tell lawyers who were in that House to look to the context—"to subvert the Protestant Establishment, as established by law." Now, what law had settled, law could unsettle. They were there to make laws, and, if necessary, to alter or repeal laws. The Protestant Church had already been altered by law, and was no longer the same Protestant Church as established by law. He did not propose to alter the Church, but he would not come into that house with his hands tied. He had never proposed to subvert the Protestant Establishment, whether that establishment rightfully or wrongfully existed. He would not deprive his Protestant fellow-subjects of what they had so long enjoyed by law. But he wanted to know whether the Protestant religion meant money? If so, he granted them at once the whole argument. The hon. Member for North Warwickshire had come to the verge of charging Catholic Members with tampering with their oath. Now, the hon. Member himself had sworn that no foreign Power or prelate had any spiritual power in these kingdoms. Did he not know that a foreign Power had spiritual jurisdiction in these kingdoms? He (Mr. J. O'Connell) confessed it—he was the Pope's spiritual subject, and all Irish Catholics were the spiritual subjects of the Pope. The Pope had spiritual jurisdiction in these kingdoms, and yet the hon. Member had sworn he had not. He regretted that the Motion was brought forward in the shape it was before the House, because it was clear that there was to be no compromise on the other side; therefore it would have been better to have simply moved the abrogation of the tax, in which he would have been countenanced by not only Protestant Dissenters, but many members of the Church itself.

Sir J. TYRELL said, that hon. Gentlemen on the opposite side of the House were going the wrong way to settle these differences by bandying charges of bigotry and intolerance against those who did not agree with them in religious belief. Members in that House attached to the Protestant religion were charged with quoting the opinions of bigoted authorities in support of their views. But he would refer to the opinions held by an authority to whom he presumed hon. Gentlemen opposite would not presume to object—he meant Mr. Macaulay, lately one of the most eloquent and able Members of the Whig Cabinet. The hon. Baronet proceeded to read an extract, in which Mr. Macaulay stated that there was amongst the English a strong conviction that a Roman Catholic, where the interests of his religion were concerned, considered himself freed from all the ordinary rules of morality; and that, in order to avert scandal or injury to his Church, he was justified in violating those rules of morality. He also quoted from Mr. Whiteside's book on Italy, from which it appeared that whilst the learned gentleman was in Italy, he ascertained that Pope Pius IX. would not permit any persons happening to reside in Italy or Rome to make allusion to a future state on the tombstones, but confined them to a mere reference to the virtues of the deceased. He gave these extracts, he said, for the benefit of those hon. Gentlemen who would destroy the Protestant Church in Ireland. ["No, no!"] Hon. Gentlemen might pretend that they only intended the abolition of the temporalities of that Church, but he believed their designs went much farther. At all events, the way to bring about a little more harmony on these matters was not by making charges of bigotry against those who sat on his (Sir J. Tyrell's) side of the House. He deprecated such discussions, as they only tended to raise dissensions. If any substitute could be found for the impost, he would be happy to support any measure that would render the support of the Church more harmonious; but he could not agree to the abolition of the temporalities of the Church altogether.

Whereupon Previous Question put—"That that Question be now put."

The House divided:—Ayes 44; Noes 72: Majority 28.

List of the AYES.

Aglionby, H. A.
Barron, Sir H. W.
Blake, M. J.
Brotherton, J.
Callaghan, D.
Cowan, C.
Crawford, W. S.
Dawson, hon. T. V.
Devereux, J. T.
D'Eyncourt, rt. hn. C. T.
Duncan, G.
Fox, W. J.
Grattan, H.
Greene, J.
Hastie, A.
Heywood, J.
Heyworth, L.
Hume, J.
Kershaw, J.
Lawless, hon. C.
M'Cullagh, W. T.
Meagher, T.
Moore, G. H.
Norreys, Sir D. J.
O'Brien, T.
O'Connell, J.
O'Connell, M. J.
O'Flaherty, A.
Osborne, R.
Pearson, C.
Pilkington, J.
Power, N.
Raphael, A.
Scholefield, W.
Scully, F.
Strickland, Sir G.
Sullivan, M.
Tenison, E. K.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Wawn, J. T.
Willcox, B. M.
Wyld, J.

TELLERS.
Fagan, W.
Reynolds, J.

List of the NOES.

Acland, Sir T. D.
Adderley, C. B.
Alexander, N.
Archdall, Capt. M.
Bagshaw, J.
Baring, rt. hon. Sir F. T.
Baring, T.
Bourke, R. S.
Boyd, J.
Bramston, T. W.
Brooke, Sir A. B.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Chichester, Lord J. L.
Christy, S.
Cole, hon. H. A.
Corry, rt. hon. H. L.
Deedes, W.
Dick, Q.
Duncuft, J.
Dundas, Adm.
Dundas, G.
Ebrington, Visct.
Edwards, H.
Elliot, hon. J. E.
Ferguson, Sir R. A.
Filmer, Sir E.
Forbes, W.
Granby, Marq. of
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grogan, E.
Hale, R. B.
Hamilton, G. A.
Hamilton, Lord C.
Hawes, B.
Hay, Lord J.
Henley, J. W.
Hobhouse, T. B.
Hodgson, W. N.
Hope, A.
Jervis, Sir J.
Keppel, hon. G. T.
Lascelles, hon. W. S.
Lewis, G. C.
Lockhart, W.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Mostyn, hon. E. M. L.
Napier, J.
Newdegate, C. N.
Ogle, S. C. H.
Paget, Lord A.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Rich, H.
Somerville, rt. hon. Sir W.
Sotheron, T. H. S.
Stafford, A.
Stanley, hon. E. H.
Townley, R. G.
Tyrell, Sir J. T.
Vesey, hon. T.
Vivian, J. E.
Watkins, Col. L.
Willoughby, Sir H.
Wilson, J.
Wodehouse, E.
Wood, rt. hon. Sir C.
Young, Sir J.

TELLERS.
Hill, Lord M.
Grey, R. W.

The House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Wednesday, March 28, 1849.

MINUTES.] PUBLIC BILLS.—2° Sequestrators' Remedies.

Reported.—Affirmation; Indictable Offences (Ireland); Summary Convictions (Ireland).

3° Larceny Acts Amendment; Mutiny; Marine Mutiny; Indemnity.

PETITIONS PRESENTED. By Colonel Thompson, from several Inhabitants of London, and its Vicinity, for the Adoption of Universal Suffrage.—By Mr. Page Wood, from Leith, and several other Places, in favour of the Affirmation Bill.—By Mr. Lennard, from the Borough of Maldon, and its Neighbourhood, in favour of the Clergy Relief Bill.—By Mr. Alexander Hope, from the Parish of Lawshall, Suffolk; and by Mr. Drummond, from the Parish of Haslemere, Surrey, against the Marriages Bill.—By Mr. Arkwright, from Leominster, Hereford, for Repeal of Duty on Attorneys' Certificates.—By Mr. Waddington, from the Parish of Wortham, Suffolk, and from several other Places, for Repeal of the Duty on Malt.—From Ratepayers of Lambeth, for Reduction of Public Expenditure.—By Sir J. Y. Buller, from Arthur Howe Holdsworth, Esq. of Dartmouth, for Inquiry into his Case.—By Mr. Hume, from John Charles Hall, of East Retford, Nottingham, complaining of the Pernicious Character of certain Medical Advertisements in Newspapers.—By Lord Lewisham, from the Guardians of the West Bromwich Union, in the Counties of Stafford and Worcester, for the Suppression of Mendicancy.—From William Stephens, of Bedford Row, London, for the Production of Certain Papers connected with the Midland Great Western Railway of Ireland (Mullingar to Athlone) Bill (1846).—By Sir Thomas Birch, from Operative Ship and Anchor Smiths, of the Port of Liverpool, against the Navigation Bill.—By Mr. Corry of Tyrone, and from several other Places, against the proposed Rate in Aid (Ireland).—By Mr. Henry Drummond, from Overseers, and Others, connected with the Farnham Union, in the County of Surrey, for a Superannuation Fund for Poor Law Officers.—By Mr. Hardcastle, from the Guardians of the Parish of St. James, in the Borough of Colchester, in favour of the Poor Law Union Charges Bill (1847-8).—By Mr. Busfeild, from the Parish of Bradford, Yorkshire, for the Suppression of Promiscuous Intercourse.—By Mr. Divett, from John Remington Mills, Esq., of Englefield Green, in the County of Surrey, respecting Abuses in the Election of the Sheriffs of London.—By Mr. Sidney Herbert, from Inhabitants of the District of Christchurch, Warminster, for the Suppression of the Slave Trude.—By Mr. Compton, from the Parish of Eling, Hampshire, and by other Hon. Members, from several Places, for Referring War Disputes to Arbitration.

COURTS MARTIAL IN CEYLON.

MR. HUME said, that he was desirous of asking a question on the subject of the late proceedings in Ceylon. From the papers laid upon the table of the House, explanatory of the transactions in that island, it appeared, in a despatch of Lord Torrington, dated the 14th of October, that the courts-martial which had been sitting in four different places in Ceylon, had terminated their sittings, that twenty persons had been sentenced to transportation, and eighteen had been condemned to death, sixteen of whom had been shot immediately. In the papers which had been laid upon the table, no account whatever of any of the proceedings at these courts-martial, or any of the transactions attending them, had been given to the House. He wished, therefore, to know from the right hon. Gentleman the Judge-Advocate General, or the hon. Member the Under Secretary for the Colonies, whether any copies of the proceedings at these courts-martial, alluded to in the public despatches of Lord Torrington, had been sent home to England. It was impossible to proceed satisfactorily with the inquiry upstairs unless these documents were produced.

Mr. HAYTER said, that no copies of the proceedings of any of the courts-martial which had been held under the proclamation of martial law in Ceylon had been received at the office of the Judge-Advocate General. He apprehended that copies of such proceedings would not be transmitted to that department, inasmuch as the proceedings of the courts-martial would have reference to persons who were subjects of Her Majesty not subject to the Mutiny Act or the Articles of War. If any such proceedings were sent to his office, it would be his duty to transmit them to the office of the noble Lord the Secretary for the Colonies. He was not aware that copies of any such proceedings had been received at the Colonial Office.

Mr. HAWES said, he could confidently state that all the papers relating to the proceedings taken under martial law in Ceylon had been already printed and laid before the House. No other documents were in possession of the Colonial Office.

Subject dropped.

AFFIRMATION BILL.

Mr. W. P. WOOD, in moving that the House should go into Committee on this Bill, said he should not trouble the House with any statement unless the Motion was opposed.

No one rising, the question was put that Mr. Speaker do leave the chair, and the House went into Committee.

The following Clause was added:—

"And be it enacted, That it shall be lawful for the Governor of any of Her Majesty's foreign dominions, plantations, or colonies, by writing under his hand, to appoint one or more competent officer or officers to receive and file such certificates as are by this Act directed to be filed by the clerk of the peace or sheriff's clerk; and upon any such appointments being made, all the provisions of this Act shall be in force in that part of Her Majesty's foreign dominions, plantations, or colonies wherein such appointment shall be made, and shall extend therein to the case of every person who shall obtain such certificate as in this Act mentioned, from any justice or magistrate acting therein within his jurisdiction, and who shall cause the same to be filed with the proper officer appointed by the Governor as aforesaid in that behalf."

The other clauses were agreed to, and the Bill passed through Committee.

House resumed. Bill reported. Bill as amended to be considered on Friday.

INDICTABLE OFFENCES (IRELAND) BILL.

Sir W. SOMERVILLE said, that the object of this Bill was to assimilate the law in Ireland to the law which had been passed last Session for England, and which had been found to work extremely well. By this Bill those laws which were now scattered in different Acts of Parliament would be consolidated in one Act.

The House then went into Committee on the Bill.

Clauses up to 16 inclusive were agreed to.

On Clause 17, the object of which is to render dispositions taken in cases of illness admissible in courts of law being proposed,

Mr. W. T. M'CULLAGH said, that the alteration proposed to be made by this clause was an important one. It was the introduction of a new principle. He did not think it had been enough considered; he hoped, therefore, it would be postponed till the Judges in Ireland were consulted with regard to it. Those who were conversant with the proceedings in courts of law in Ireland must be aware that it was on cross-examination of the witness that truth was frequently elicited.

Sir W. SOMERVILLE said, that no new principle was introduced; it was merely the application of a law which had been found to work well in this country to Ireland.

Mr. F. O'CONNOR said, that if the laws of Ireland generally were assimilated to those of England, he would not say a word against the present clause. He hoped time would be given to consider the clause.

Sir L. O'BRIEN thought the cases of treason should be excepted from the Bill. By this clause he apprehended that the notice at present required in cases of high treason would be done away with.

The ATTORNEY GENERAL said, that under this Bill the same notice should be given in cases of high treason as at present.

MR. FRENCH saw no cause for postponing the clause, which was a good one.

MR. S. CRAWFORD would not object to the clause, if the law of Ireland generally were assimilated to the law of England. He thought that in Ireland, where the sanctity of an oath was not always observed, the power of cross-examination of the witness should not be given up.

MR. GRATTAN said, that his hon. Friend the Member for Rochdale was mistaken. The sanctity of an oath was as much respected in Ireland as in any country in the world.

MR. S. CRAWFORD said, he alluded to those persons who came forward as informers.

SIR W. SOMERVILLE said, that if the clause were agreed to, he would give an opportunity for again considering it on bringing up the report. In the meantime he would consult the judicial authorities in Ireland on the subject.

SIR L. O'BRIEN said, he could not allow the clause to pass unless cases of high treason were excepted. He should, therefore, move the insertion of these words, "except in cases of high treason."

The ATTORNEY GENERAL said, that it would be an advantage in cases of high treason to have the depositions taken down before a magistrate. In fact, there was no alteration of the existing law except the introduction of the words, "where the person is ill."

MR. F. O'CONNOR said, that the Bill did not assimilate the law of Ireland to that of England in cases of high treason.

SIR W. BARRON said, that the trial should not be proceeded with till it was known whether the person that was ill would recover or not.

SIR J. PAKINGTON bore testimony to the utility of the alteration in the law made in the last Session of Parliament.

MAJOR BLACKALL said, the clause was calculated to supply a want in the administration of justice in Ireland.

The Amendment of Sir L. O'Brien was negatived without a division, and the Clause was agreed to.

Clauses up to 29 were agreed to.

On Clause 29, which gives power to a single metropolitan magistrate or to a stipendiary magistrate to take depositions and commit, being proposed,

SIR L. O'BRIEN said, he should object to the clause, because it gave a new power, and also because it enabled a metropolitan or a stipendiary magistrate to do what could only be done by two of the ordinary magistrates of the country.

COLONEL DUNNE said, he should oppose the clause.

The ATTORNEY GENERAL said, that in this country every magistrate of the city of London had the power which was objected to.

Clause agreed to. The remaining clauses were also passed.

The House resumed.

Bill reported. Report to be taken into consideration on Wednesday, the 18th of April.

LANDLORD AND TENANT BILL.

On the Motion that Mr. Speaker leave the Chair for the purpose of going into Committee on this Bill,

MR. H. A. HERBERT rose for the purpose of moving an instruction to the Committee that the provisions of the Bill should be extended to Ireland. It might be urged, perhaps, that those provisions were not suited to all the complicated relations between Irish landlords and tenants, and he might also be told that the right hon. Secretary for Ireland had declared it to be the intention of the Government to bring forward a measure on this subject with reference to that country; but he must remind the House of the numerous and abortive attempts which had been made to legislate on this complicated subject. He did not mean to assert that this Bill was to prevent the necessity of future legislation; but he hoped the House would support it as a step in the right direction, for he knew they would be anxious to promote any measure which would contribute, however slightly, to encourage the investment of capital in Ireland. It had not been in his power, of course, to consult all the Irish Members; but he had spoken to a great many, and the result was that he did not apprehend that any attempt would be made to alter the Bill.

MR. PUSEY had felt some reluctance to extend the scope of the Bill; but as so many Irish Members desired its extension to Ireland, he felt that he should not be justified in offering any opposition to a wish so generally expressed, particularly as he saw nothing in the Bill which could render it inapplicable to Ireland.

MR. S. CRAWFORD regarded this

simply as an enabling Bill, and being of opinion that, as far as it went, it went in the right direction, he would support its extension to Ireland.

COLONEL SIBTHORP did not wish to interfere with Ireland, and he recommended Irish Members to follow his example with respect to his country. He did not think this Bill necessary for England; and although he did not mean to oppose the Speaker leaving the chair, he would certainly oppose the Bill on the report, and all future stages.

House went into Committee.

MR. HERBERT moved that the word "Ireland" be substituted for "Wales," the special mention of which latter word was unnecessary to include that country in the operation of the Bill.

Instruction to the Committee, that they have power to extend the provisions of the Bill to Ireland.

SIR W. SOMERVILLE said, his head was turned at the time when the Motion of the hon. Member was carried, but he had no objection to include Ireland within the scope of the measure.

SIR J. YOUNG rejoiced in the prospect of applying so well-digested a measure to Ireland, in lieu of the plan proposed last year; and wished to know if this Bill was to be regarded as a substitute for a Government measure?

SIR W. SOMERVILLE could give no pledge on the subject.

MR. J. O'CONNELL urged the Government to take advantage of the unanimity of Irish Members with reference to this Bill.

MR. DRUMMOND protested against converting this into an Irish discussion, when the subject before the Committee was an English Bill.

MR. S. CRAWFORD, in conceding the application of the Bill to Ireland, did not accept it as a substitute for the more extensive measure promised by the Government.

MR. AGLIONBY feared that the extension of the Bill to Ireland would render it impossible to get through the Committee that day, or even that day week. He strongly recommended the Committee to make the Bill a good and complete measure as regarded England first, and then to extend its provisions, if they should think fit, to Ireland. If they began by extending it to that country, every one would be getting up to propound his favourite nostrum. ["No, no!"] He rejoiced to hear it—would any one answer for the Irish Members?

MR. STAFFORD said, the anti-imperial speech of the hon. Member for Cockermouth had filled him with grim despair. It certainly was a most unfortunate circumfstance that the head of the right hon. Secretary for Ireland was turned when the question was put, for the thing was already settled when he rose, and perhaps under the circumstances it might have been better if the head of the right hon. Gentleman had continued to be turned. No proposal to alter the Bill had come from any of the Irish Members, who had shown themselves men of business by taking what they could get, knowing that half a loaf was better than no bread.

Instruction agreed to.

On Clause 1 being read,

MR. PUSEY proposed to limit the meaning of the word "notice," by inserting the words "notice served upon such tenant."

SIR G. STRICKLAND said this clause provided that it might be lawful for a landlord and tenant to enter into an agreement. He would ask if it was not universally understood that every landlord and tenant had at the present moment that very power? So far as his knowledge went, they had that power at the present time. If that were so, he thought the clause would only have the effect of leading to litigation between landlord and tenant.

SIR G. GREY said, that as it seemed generally agreed that the words proposed should be inserted, he had no objection to their being so.

MR. AGLIONBY thought that the effect of this Amendment would be to prevent the tenant claiming compensation from his landlord in cases where notice had been given by the tenant.

COLONEL SIBTHORP asked the hon. Member for Berkshire whether he meant to give unlimited power to the tenant for life, and the tenant in occupation to saddle the remainder man with whatever liabilities his fancy might determine?

MR. PUSEY said, that if the hon. and gallant Member would allow them to proceed with the Bill, he would soon see how the contingencies which he appeared to apprehend would be amply provided against.

MR. E. DENISON stated his opinion to be in favour of the clause as it originally stood, as, by the Amendment proposed, they would most probably deprive the measure of those advantages which it was evidently intended to confer.

MR. P. SCROPE was in favour of the clause.

MR. SOTHERON was also in favour of the clause as it stood, as it would be very easy for the tenant, if he were so inclined, to act in such a way as to force his landlord to give him notice.

SIR R. PEEL was of opinion that if they introduced the Amendment proposed, they would render the Bill almost altogether inoperative. The proposal was—that in the event of the tenant making permanent improvements in the farm, he should not be entitled to recover the appropriated value of such improvements in case he gave notice to the landlord of the termination of his tenancy. Suppose a tenant at will, having confidence in his landlord, and contemplating a probable tenure of the property, expends a good deal of money and labour in permanent improvements — if, then, they said to such a person, "We invite you to make these improvements, the effects of which would endure for — say twelve years"—if they then said to him, "but in the event, however, of your giving notice in the second year, of the expiration of your tenancy, you may lose the benefit which, under other circumstances, I admit may endure for ten years longer:" surely no man, under the circumstances, would be induced to invest his capital in these improvements. Several contingencies might arise to render it advantageous to the landlord as well as the tenant to determine the tenancy—such as unexpected misfortunes, bad health, &c. Now, by the Amendment proposed, they said to the tenant, "If you terminate the tenancy by your own act, the profits to which you would otherwise have a legal claim will go to the landlord." If the landlord objects to enter into the agreement, there would be no obligation on him; but, on the other hand, if they deprived the tenant of that just compensation to which he was entitled, because he happened to have given the notice, they would most likely prevent the Bill from coming into any useful operation.

MR. HENLEY instanced the case of a clergyman entering upon a living on the death of an incumbent between whom and the tenant an agreement had been entered into in respect to certain improvements upon the farm. The tenant turns round upon the new incumbent and tells him that if he does not reduce his rent 30 per cent, he will give up the farm, and require the compensation allowed him under this Bill for the drainage and other improvements he had effected. The clergyman, under the circumstances, being not very flush in money, would be thus placed in a very great difficulty; and it was to guard against such a contingency he wished the words proposed to be added to the clause.

MR. PUSEY was induced to propose the additional words to meet the objections of the hon. Member for Oxfordshire, although they were not quite in accordance with his own views. After, however, what had fallen from the right hon. Baronet the Member for Tamworth, he would withdraw the Amendment.

Amendment withdrawn.

MR. HENLEY wished to ask the hon. Member for Berkshire what meaning he intended to convey by the word "lessor," which occurred in the 1st Clause?

MR. PUSEY proposed to strike out the word "lessor," and to substitute for it the word "owner."

SIR R. PEEL asked, were there not intermediate persons? Could there not be a lessor without being an owner?

MR. PUSEY said, that the word "owner" in this Bill, was defined at great length in Clause 11.

MR. SHEIL suggested that the agreement referred to in the clause should be stated to be in writing.

MR. PUSEY said that he would do so in the report.

SIR J. Y. BULLER proposed to omit the words "by the purchase of food for cattle or sheep." He thought it most unjust that the tenant should have the power of claiming compensation for the purchase of food for his cattle in the temporary improvement of his farm; for he would suppose the case of a tenant occupying a farm near London, or some one of those fashionable watering places where he could carry his hay and straw and sell them for a good price. Having done so, it was quite natural to suppose that he would purchase oil-cake, Indian meal, and articles of that sort, for which he would have the power, by the clause as it stood, of recovering compensation; whereas he had already disposed of all the food that might be fairly raised from the estate.

MR. PUSEY observed, that there were two classes of improvements—temporary improvements and durable improvements. Temporary improvements generally fell on the tenant; durable improvements, drainage and so forth, ordinarily belonged to the landlord. There was no doubt that the effect of this Bill was, to a certain degree, to throw on the tenant durable improvements, which the landlord was hitherto in the habit of defraying. It would have a bad effect for the landlords to say to the tenants, you shall take your share of what hitherto has been ours, but we refuse to bear any portion of your outlay. The hon. Member read portions of the evidence to show the necessity of allowing compensation for outlay for artificial manures.

Sir J. TYRELL said, that of all the classes of compensation, the most difficult was that which had reference to the improvement of the soil by the use of oil cake and artificial manures. That was the point on which there was a great difficulty in legislating; there was no difficulty in the case of permanent improvements.

Sir R. PEEL said, that it must not be taken for granted, that because certain arrangements had worked well in one county, they would work well in new districts which were not accustomed to them. It might be very true, that in Lincolnshire the arrangement was so satisfactory that even the landlord might hardly be aware of it; but it did not follow that when you introduced it into Devonshire it would work equally well there. Was it to be said, that if he fed his sheep with turnips grown on his own farm, he had no claim for compensation; but if he purchased the turnips he had a claim for compensation? In that case he would sell all his turnips, and would purchase the turnips of his neighbour. He would even go further, and make an agreement with his neighbour, and say, "I will sell my turnips to you, and you shall buy your turnips of me, and then we shall have a claim upon the landlord for temporary improvements."

Mr. PUSEY said, that if these words were struck out altogether, it would be the greatest possible discouragement to the farmer. It had been found, by the report of the Committee, that by law no landlord could give this compensation unless he was supported by the custom of the country. As to the word "sheep," he must admit, that, according to some of the evidence, there was not the same risk in feeding sheep as in feeding cattle. The words might be altered to "by the purchase of food other than of any kind grown on the farm." If they wished to encourage high farming, they must give this power.

Sir R. PEEL suggested that the words should be, "by the purchase of such descriptions of food for cattle or sheep as shall be specifically mentioned in this agreement."

Sir J. TYRELL observed, that on the banks of the Thames, in many parts where mangel wurzel was grown, nothing was so common as for the farmer to send his mangel wurzel to town, and then with the proceeds to buy artificial manure. Much of the artificial manure was wholly absurd and useless; it was fabricated to impose on the young farmer, who had not the experience of the right hon. Baronet the Member for Tamworth and the hon. Member for Berkshire.

Sir W. JOLLIFFE objected to the words proposed to be struck out by his hon. Friend the Member for South Devonshire, as incapable of general application. In the county with which he was connected, the rights of the tenant were already so extensive as to render the proposed concession a matter of no interest.

Mr. AGLIONBY said, that the Bill had already been before a Select Committee; but there seemed to be so much difference of opinion about the subject, he thought that the best way would be send it to another Select Committee. He objected to important public business being obstructed by a long discussion as to whether sheep or cattle should have linseed cake. He should oppose striking out the word "sheep," because he thought if they were fed upon artificial produce it would increase the value of the land.

Mr. DRUMMOND said, that the Bill was looked upon with great anxiety by the tenant farmers of the country, who at the present moment were catching at straws. And he was of opinion that they were looking to a measure which would turn out to be a gross delusion, and from which the great majority of them would receive no benefit whatever.

Sir G. STRICKLAND objected to the increased power proposed to be given by the Bill to the valuers. The great difficulty at present seemed to be to define what animals were cattle and what were not. He knew that the hon. Member for Berkshire was a great feeder of pigs. Now, pigs were important animals, and he wanted to know why they were not mentioned in the Bill? And he put the question to the House, Are pigs cattle, or are they not? He asked that question for the purpose of pointing out the difficulty of defining what are cattle and what are not.

COLONEL SIBTHORP thought the Bill was one of the most dangerous character. So far from conciliating landlord and tenant, it would breed only dissension. So far as his information went, it was approved of by neither landlord nor tenant; and he suggested that the best thing the House could do would be to reject the Bill altogether, and at once.

MR. HENLEY suggested, that as the House was in total ignorance of what they were to divide about, it would be better that the Chairman should report progress, and ask leave to sit again.

MR. PUSEY was anxious only that the House should decide upon the principle of the clause, and then he would be happy to adopt the words suggested by the right hon. Member for Tamworth.

SIR J. Y. BULLER supported the proposition to postpone the decision upon the clause; time would afford the hon. Member for Berks an opportunity of adopting words which would carry out his meaning in a manner satisfactory to all.

MR. PUSEY bowed to the wishes of the House, and in the meantime he would endeavour to construct the clause according to what he believed to be the sense of the House.

The CHAIRMAN then reported progress.

House resumed.

Committee to sit again on Wednesday, April 18.

INSOLVENT MEMBERS BILL.

Motion made and question proposed, "That the Bill be recommitted."

MR. MOFFATT moved the committal of the Bill *pro formâ*, with a view to its being recommitted with several alterations which had been suggested to him from various quarters.

SIR W. CLAY thought the Bill one most important in its nature, and the House had really not yet had any discussion upon the very important principles which it contained. He felt bound to enter his protest against the hon. Member taking any further stage of the Bill at that hour (half-past Five), when it was impossible the House could enter upon any discussion of a useful nature. A large constitutional question was involved, and unless he received a pledge that an opportunity would be given for an ample discussion of the principle, he would feel it his duty to resist the further progress of the measure.

MR. OSBORNE concurred in the objection, but he found the Bill as it now stood totally different, not only in its provisions, but in its title, from what it was as originally introduced. The title of the Bill now was, "a Bill to facilitate the Recovery of Debts from Persons possessing the Privileges of Parliament, and to exclude Insolvent Members from Parliament." Was it intended to convert that House into a court of law, now the Palace Court was to be done away with? Who were to practise in it—who were to be the attorneys and counsel? But there was a rumour in the town that the measure was brought in to point at a particular Member of Parliament. That was not, however, the ground of his opposition to the Bill; but if it was brought in for such a purpose it ought to be known, and the House ought not to submit to be made the tool of any hon. Gentleman who might desire to exclude certain other Members from the House.

MR. MOFFATT could have hoped that the quiet and independent course which he had pursued as a Member of that House would have saved him from such a charge as that now brought against him by the hon. Member for Middlesex. It had been insinuated, if not broadly asserted, that in introducing this Bill he had been actuated by interested motives. It had been insinuated that he was actuated by a feeling of spite or malevolence against individuals. ["No, no!"] That charge he emphatically denied. The Bill had been introduced on public grounds, and with no other feeling. The measure was simply directed against those who would make that House a sanctuary for insolvency. Such was the feeling, and the only feeling, with which he had brought in the Bill.

The SOLICITOR GENERAL thought that the hon. Baronet the Member for the Tower Hamlets had misunderstood the object of the hon. Member for Dartmouth, in proposing the committal of the Bill *pro formâ*. The hon. Member's object was to have the proposed alterations printed, and recommitted.

MR. HENLEY thought that the House had been rather hardly used by the hon. Member for Dartmouth. He (Mr. Henley) had taken the liberty, a week ago, of entreating the hon. Member not to press the Bill on, for he felt that the House at large had not had sufficient time to consider it.

Now what had happened since? The hon. Member had forced the Bill through Committee. After the Bill had been twice altered, the hon. Member now proposed its recommittal, a course which he (Mr. Henley) thought not quite fair to the House. What the House might determine upon, he could not say; but whenever the Bill had been brought on, there was a proposal on the part of the framer of it to make alterations in it. This was a more important measure than many hon. Members might be aware of. It was impossible that the Bill could be discussed then, and he should recommend the postponement of any further proceedings upon it until after Easter.

Mr. VERNON SMITH said, he would not now express any opinion on the principle of this Bill, but they must all be agreed that the measure was a very important one, affecting as it did the privileges of the constituencies of the country. The Bill was now greatly altered, and yet the House had never had a proper opportunity for discussing it. The noble Lord at the head of the Government had not given his opinion upon it; and indeed he (Mr. Vernon Smith) did not know in whose charge the Bill now was—whether it was in the hands of the hon. Member for Dartmouth, or in those of the hon. and learned Solicitor General; but the latter now seemed to be its adopted father. The House was not now prepared to take any stage of the Bill, and he hoped that at all events its committal *pro formâ* would be put off to some other day.

The SOLICITOR GENERAL said, that the Bill was not his Bill at all, although he had been ready to lend the hon. Member for Dartmouth the benefit of his assistance with regard to it. It was now proposed to commit the Bill *pro formâ*, to have it reprinted, that the House might know what the Bill really was; but he would recommend the hon. Gentleman to have the Bill again fully discussed in Committee after being reprinted.

Mr. S. WORTLEY said, the course originally proposed by the hon. Member for Dartmouth, namely, to introduce these Amendments, and then call upon the House to proceed with the Committee without further consideration, was exceedingly objectionable. But if, as he understood the suggestion of his hon. and learned Friend (the Solicitor General), it was now to be committed *pro formâ*, merely to have the Amendments suggested introduced, and the Bill, having been reprinted, was then to be committed and pass through Committee, there certainly could be no objection to that course.

Mr. ROUNDELL PALMER said, this Bill was a very important one, and called for by the present state of public feeling in the constituencies. The first petition which he had had the honour to present from the important constituency which he represented (Plymouth), was against allowing Members of this House to evade the payment of their creditors in a manner which was open to no other class of the community; and he believed the hon. Member for Liverpool had presented a similar petition from that port. It had been alleged that this Bill was directed against an individual Member of this House; but it was most unwarrantable to insinuate that any of those who had supported this measure had been influenced by any personal motive of the kind.

Lord J. RUSSELL said, his right hon. Friend the Member for Northampton had wished him to state his opinion on this Bill. He could only state that he thought its object a very good object, and one that he believed the House would wish to see effected. But it appeared to him that there were very great difficulties in the way of doing so; and it would be a dangerous thing if a Bill went up to the House of Lords in a shape which would not meet their Lordships' support, and which they would not have the power to amend. It was his opinion that unless a Bill went up there in such a shape as to have some chance of passing, it had better not go up at all. But with regard to the present measure, his opinion of it would depend upon the shape into which the Bill should ultimately be put; and if it did not meet with his approbation, he would state his opinion on the third reading.

Mr. ANSTEY said, the petition alluded to by the hon. and learned Member for Plymouth, prayed the House to take steps to enforce the payment of their creditors by Members of Parliament — an object about which not one word was said in the Bill now before the House. He (Mr. Anstey) had himself heard the rumour alluded to, that this Bill was pointed at a particular Member of this House, and had heard it, not from the enemies of this Bill, but from its supporters; and the rumour was one that had gained a considerable degree of credence. The hon. Member for Dartmouth had, however, contradicted it very satisfactorily as far as he was individually concerned. He (Mr. Anstey) was prepared to divide the House upon the question for going into Committee *pro formâ;* but unless some other opponents of the measure concurred with him in wishing to do so, he would not press for a division.

Colonel THOMPSON said, the Bill contained two important measures rolled into one. It professed to make Members of Parliament pay their debts; and, *secundo*, to do something else to them after the law had had its practice upon them. There was something unfortunate in the title—there was something colourable in it. If any alteration in the law were suggested, having the effect of compelling Members to pay their debts, he did not think there were six Gentlemen in that House who would object to it, or display any sympathy for those who would be affected by it; but if the question was whether an additional and unconstitutional penalty should be incurred, that was a different question. He thought there were good reasons for not proceeding precipitately with the Bill.

Mr. SPEAKER recommended the hon. Member for Dartmouth to withdraw his Bill, and introduce an entirely new one, with all the amendments which he wished to make incorporated with it, as the present Bill had undergone so much alteration, and encountered so much opposition.

Mr. MOFFATT said, that, with the greatest deference to the suggestion of Mr. Speaker, he felt himself somewhat at a loss how to proceed. He had a strong conviction that if that suggestion were followed, the Bill would be lost entirely for this Session; for experience proved to him that a Bill brought in by a private Member after Easter had not the smallest chance of being carried through. After some little delay, the hon. Gentleman, however, said, that, contrary to his own opinion, he would bow to the Speaker's suggestion, and take the earliest opportunity of introducing another Bill.

Motion, by leave, withdrawn.

Bill withdrawn.

INSOLVENT MEMBERS (No. 2) BILL.

Mr. MOFFATT moved for leave to reintroduce the measure.

Mr. ANSTEY felt bound to oppose the Motion.

Sir G. GREY said, it was usual, in courtesy, to allow a Member to bring in a Bill. There was some business on the Paper which it was important should be disposed of, and the hour was getting late. Probably the hon. and learned Member would wave further opposition upon that occasion.

Mr. ANSTEY: His only object in opposing the Motion was to save time; for, in the then temper of the House, he felt certain leave to reintroduce the Bill would be refused. If he gave way, he would certainly divide upon the first reading.

Bill ordered to be brought in by Mr. Moffatt, Mr. Evans, and Mr. Brotherton.

House adjourned at two minutes before Six o'clock.

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VOLUME CIII.

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